JOURNAL

OF THE

REGULAR SESSION

OF THE

House of Representatives

OF THE

Commonwealth of Kentucky

Begun and Held in the City of Frankfort, the Eighth Day of January, in the Year of Our Lord 1918, and of the Commonwealth One Hundred and Twenty-Six.

PART II

March 7 to March 20.

PROPERTY OF THE STATE OF KENTUCKY

THURSDAY, MARCH 7, 1918.

The House was opened with prayer by the Rev. J. J. Gravatt, pastor of the Episcopal Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Chas. Ashby	J. S. Hall	S. Lee McGohan
B. S. Bailey	A. L. Hamilton	W. B. O'Bannon
Robert Bays	L. B. Hamilton	A. J. Oliver
B. C. Beckmann	E. C. Hardin	T. P. Oliver
H. V. Bell	B. H. Harris	W. F. Paris
W. P. Bowman	D. J. Howard	Luther Pieratt
J. L. Bradford	Joe Huddleston	Ote Piper
O. V. Brown	Chas. L. Hunter	H. C. Rice
R. J. Cain	J. W. Johnson	Lewis Ryans
T. L. Caudel	Leslie P. Jones	Avery Sartin
Everett Cobb	W. H. Jones	Joe Schneider
John Cook	Griffin Kelly	R. T. Smith
A. S. Cooper	H. A. Knollman	Ben Street
Fred Cornelius	S. D. Laughlin	John W. Swope
W. P. Cropper	Joseph Lazarus	C. M. Thomas
James S. Cruse	M. E. Lee	Elmore Thomas
J. C. Davis	J. E. Lilly	J. B. Thomas
A. A. Demunbrun	Harry J. Meyers	G. F. Thompson
H. L. Dixon	Clarence Miller	J. T. Thornton
W. G. Dycus	Claude D Minor	F. C. VanHoose
F. A. Easterling	S. H. Moore	G. C. Waggoner
L. L. Embry	John T. Murphy	G. F. Walthal
I. H. Gabbard	Ryland C. Musick	T. R. Welch
Lark Garnett	A. J. McCandless	E. G. Young
M. E. Gilbert	W. P. McDonogh	
W. H. Hager	H. C. McGehee	—76

Upon motion of Mr. Thornton the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

Mr. B. S. Bailey called up for consideration from the Clerk's desk a resolution of the following title, viz.:

H. Res. 30. Resolution directing that one thousand copies of the message of His Excellency, Hon. A. O. Stanley, Governor of Kentucky, be printed for distribution.

(For said resolution se House Journal March 6, 1918.)

Said resolution was adopted.

Mr. T. P. Oliver called up for consideraiton from the Clerk's desk a resolution of the following title, viz.:

H. Res. 31. Resolution petitioning Congress to enact legislation for prevention of loss by floods on the Mississippi river.

(For said resolution see House Journal March 6, 1918.)

Said resolution was adopted.

Mr. R. T. Smith called up for consideration from the Clerk's desk a resolution of the following title, viz.:

H. Res. 29. Resolution regarding the manipulation and control of leaf tobacco in this Commonwealth.

(For said resolution see House Journal March 6, 1918.)

Said resolution was referred to the Committee on Agriculture.

Mr. Gilbert offered the following joint resolution, viz.:

H. Res. 32. Resolution directing the Auditor of Public Accounts to examine books, accounts, etc., of State Inspector and Examiner's office.

Said resolution reads as follows, viz.:

Be it resolved by the General Assembly fo the Commonwealth of Kentucky: That the Auditor of Public Accounts make or direct to be made a thorough examination of all books, accounts, expense accounts and records pertaining to the management of the State Inspector and Examiner's office and report his findings to this legislature at the earliest possible date.

Ordered that said resolution lie on the Clerk's desk.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Beckmann, of the Committe on Municipalities:

H. B. 464. An act to regulate the pressure and quality of natural gas furnished by gas companies, and prescribing a punishment for violation thereof.

By same:

H. B. 501. An act to repeal and re-enact section 2802 of the Kentucky Statutes, Carroll's edition 1915, relating to executive boards of municipal corporations in counties containing cities of the first class.

By Same:

H. B. 463. An act amending section 331a, Kentucky Statutes, relating to child labor.

By Same:

H. B. 474. An act to amend section 1250 of the Kentucky Statutes, which provides for a stenographer for Commonwealth attorneys in counties having a population of two hundred thousand and over.

By Same:

H. B. 504. An act to place county officials in counties containing cities of the second class upon a salary.

By Mr. Welch, of the Committee on Public Health:

H. B. 295. An act to pension worthy blind persons.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

Mr. Waggoner, of the Committee on Public Roads and Highways, to which the same had been recommitted with leave to report at any time, reported a bill of the following title, viz.:

H. B. 162. An act regulating the width of tires and the weight of load that may be hauled over public streets, highways, bridges and culverts, and regulating speed of automobile trucks and automobiles and providing penalties for violation.

Mr. Waggoner moved that Senate Bill No. 110 be substituted for said House Bill No. 162, and that said Senate Bill No. 110 be now placed upon its passage, and House Bill No. 162 be recommitted to the Committee on Public Roads and Highways.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

S. B. 110. An act regulating the weight of load that may be hauled over public streets, highways, bridges and culverts, and regulating speed of automobile trucks and automobiles and providing penalties for violation.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Maximum Load On Roads or Streets.—No traction engine, trailer, wagon, truck, steam roller, automobile truck or any vehicle, whether propelled by muscular or motor power, weighing in excess of fifteen tons, including weight of vehicle, object or contrivance and load shall be operated over and upon the public streets, highways, bridges or culverts within the State except as hereinafter provided. This provision shall not apply to vehicles run upon rails or track or fire engines, fire trucks or other vehicles or apparatus belonging to any municipal or volunteer fire department or used by such department in the discharge of its functions.

Permission for Excess Weight.—The county judge or the county road engineer of any county upon an application in writing by the owner or person having charge thereof, may grant permission for the movement of vehicles, objects or structures in excess of the total weight of fifteen tons, including weight of vehicle, object, contrivance, structure and load over the highways, bridges or culverts within such county and located outside of any municipal corporation. Such permission shall be in writing and the county judge or the county road engineer may grant the same, subject to such conditions and restrictions as in his judgment are necessary for the preservation and protection of such highways, bridges and culverts.

The city engineer or mayor of any city or village may in like manner grant such permission as to the public highways, streets, bridges or culverts within such city or village.

Width of Tire.—No person, firm or corporation shall transport over the public highways, streets, bridges or culverts within this State in a vehicle propelled by either muscular or motor power, a burden, including weight of load and vehicle, greater than the following:

In vehicles having iron or steel tires two inches or less in width, a load of five hundred pounds for each inch of the total width of tire surface on all wheels, when the tires on such vehicle exceed two inches in width the limit shall not exceed five hundred pounds per each inch width of tire, for two inches of width, plus four hundred pounds for each additional one inch of width.

In vehicles having tires of rubber or other similar substance, a load of eight hundred pounds for each inch of the total width of tire surface on all wheels. The width shall be measured at that part of the tire which comes in contact with the road. The provisions of this section shall apply to iron or steel tired horse drawn vehicles, and to rubber tired vehicles when in use upon the streets and thoroughfares of any city or village, unless such person, firm or corporation who desires to operate the vehicle on the roads or streets within any city or village shall have special permission in writing from the mayor or city engineer or other governing body of the town.

Maximum Load and Speed of Heavy Vehicles.—No traction engine, trailer, steam roller, automobile truck or other power vehicle carrying a weight in excess of four tons, including weight of vehicle, shall be operated upon any of the public highways, streets, bridges or culverts within the State at a greater speed than fifteen miles per hour, and no such vehicle carrying a weight in excess of six tons, including the weight of such vehicle, shall be operated upon any public highways, streets, bridges or culverts at a greater speed than eight miles per hour, when such vehicles are equipped with iron or steel tires, or at a speed greater than twelve miles per hour when such vehicle is equipped with tires of rubber or other similar substances.

It shall be unlawful for any owner or driver of an automobile to exceed a speed of twenty-five miles per hour.

This shall not apply to fire departments or ambulances.

Penalties.—Any person violating any of the provisions of this act shall be guilty of a misdemeanor and shall be fined not less than $15.00 nor more than $100.00. It shall be the duty of the courts and all peace officers to see that the provisions of this act are put in force and effect, and all fines, after payment of commissions to officers legally entitled thereto, shall go to the credit of the road fund in the county or to the street fund in the city or village, dependent upon where the offense is committed.

The failure of any peace officer, when properly informed, to do his duty as prescribed in this act shall constitute a misdemeanor and he shall be fined not less than $50.00 nor more than $100.00 and all such fines shall go to the credit of the road fund in the county or the street fund in the city or village, dependent upon where the offense is committed.

All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	B. C. Beckmann	J. L. Bradford
L. D. Baldauf	H. V. Bell	O. V. Brown
J. H. Ballard	Leroy Bonta	John Cook
W. T. Beckham	W. P. Bowman	A. S. Cooper

W. P. Cropper	M. E. Lee	Ben Street
James S. Cruse	Harry J. Meyers	John W. Swope
J. C. Davis	John T. Murphy	J. T. Thornton
H. L. Dixon	Ryland C. Musick	G. F. Walthal
J. M. Elliston	W. P. McDonogh	T. R. Welch
E. C. Hardin	S. Lee McGohan	W. N. Winn
D. J. Howard	T. P. Oliver	E. G. Young
W. F. Klair	Richard Radcliffe	
H. A. Knollman	Joe Schneider	—37

Those who voted in the negative were—

Ed. L. Allen	L. B. Hamilton	W. B. O'Bannon
B. S. Bailey	Joe Huddleston	A. J. Oliver
Robert Bays	Chas. L. Hunter	W. F. Paris
R. J. Cain	J. W. Johnson	Ote Piper
T. L. Caudel	Leslie P. Jones	H. C. Rice
H. C. Chappell	W. H. Jones	Lewis Ryans
Everett Cobb	Griffin Kelly	Avery Sartin
Fred Cornelius	W. T. Lasley	R. T. Smith
A. A. Demunbrun	S. D. Laughlin	Thomas Spurrier
W. G. Dycus	Joseph Lazarus	C. M. Thomas
F. A. Easterling	J. E. Lilly	J. B. Thomas
I. H. Gabbard	Claude D Minor	G. F. Thompson
Lark Garnett	S. H. Moore	S. G. Thornberry
M. E. Gilbert	A. J. McCandless	J. Wood Vance
W. H. Hager	H. C. McGehee	F. C. VanHoose
J. S. Hall	H. C. McLellen	G. C. Waggoner

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And so said bill was rejected.

Mr. Kelly moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Mr. Waggoner moved as a substitute to said motion that the vote by which Senate Bill No. 110 was rejected be reconsidered.

Said last named motion was agreed to.

Said motion made by Mr. Kelly was disagreed to.

Mr. Waggoner moved that Senate Bill No. 110 be recommitted to the Committee on Public Roads and Highways with leave to report at any time.

Said motion was agreed to.

Mr. Waggoner, of the Committee on Public Roads and Highways, to which the same had been recommitted with leave to report at any time, reported a bill of the following title, viz.:

H. B. 163. An act relating to the maintenance of inter-county seat State aid roads.

Mr. Waggoner moved that Senate Bill No. 109 be substituted for said House Bill No. 163, and that said Senate Bill No. 109 be now taken from the orders of the day and placed upon its passage, and House Bill No. 163 be recommitted to the Committe on Public Roads and Highways.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

S. B. 109. An act relating to the maintenance of inter-county seat State aid roads.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be the duty of the Commissioner of Public Roads to determine the standard up to which inter-county

seat roads constructed with State aid shall be maintained by the counties. Said Commissioner of Public Roads shall make and promulgate such rules and regulations as may fully advise the county as to the requirements of said commissioner. When any county in the State makes application for State aid it shall be the duty of the Commissioner of Public Roads to forthwith ascertain whether inter-county seat roads previously constructed with State aid have been maintained up to the standard so prescribed, and if he finds that said roads are not properly maintained by the counties he may specifically direct what work shall be done to said roads to bring them up to his requirements, and if the county fails to comply with his specific directions such county so failing shall not be entitled to receive State aid except as provided in section 2, until such time as his requirement has been met.

§ 2. If any county shall fail and refuse to maintain such road when so constructed, the Commissioner of Public Roads may apportion to the county any State aid to which it may be entitled, and may use any part or all of said sum for maintaining such roads and bringing them up to the standard so prescribed. After said roads have been brought up to the standard any balance of the State aid which has been apportioned to said county may be allowed it to construct State aid roads.

§ 3. All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	W. H. Hager	A. J. Oliver
L. D. Baldauf	J. S. Hall	T. P. Oliver
J. H. Ballard	A. L. Hamilton	W. F. Paris
A. L. Baldwin	L. B. Hamilton	Luther Pieratt
Robert Bays	B. H. Harris	Ote Piper
W. T. Beckham	D. J. Howard	Richard Radcliffe
B. C. Beckmann	Joe Huddleston	H. C. Rice
H. V. Bell	J. W. Johnson	Lewis Ryans
W. P. Bowman	W. H. Jones	Avery Sartin
J. L. Bradford	Griffin Kelly	Joe Schneider
O. V. Brown	W. F. Klair	R. T. Smith
R. J. Cain	H. A. Knollman	John W. Swope
T. L. Caudel	S. D. Laughlin	Elmore Thomas
H. C. Chappell	M. E. Lee	J. B. Thomas
Everett Cobb	J. E. Lilly	G. F. Thompson
A. S. Cooper	Harry J. Meyers	J. T. Thornton
Fred Cornelius	Claude D Minor	J. Wood Vance
W. P. Cropper	S. H. Moore	F. C. VanHoose
James S. Cruse	John T. Murphy	G. C. Waggoner
A. A. Demunbrun	Ryland C. Musick	G. F. Walthal
H. L. Dixon	A. J. McCandless	T. R. Welch
W. G. Dycus	W. P. McDonogh	W. N. Winn
F. A. Easterling	H. C. McGehee	E. G. Young
J. M. Elliston	S. Lee McGohan	
I. H. Gabbard	H. C. McLellen	—73

Resolved, that the titled thereof be as aforesaid.

The House then took up for consideration the special order set for this hour, namely, eleven o'clock a. m., a bill entitled:

H. B. 268. An act to amend section 3469, chapter 89, Kentucky Statutes, relating to board of education in third class cities.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3469, chapter 89, Kentucky Statutes, be amended by inserting the following: "Except for the purposes hereinafter stated," after the words "fifty cents" in the thirteenth line of said section and before the word "on" in the same line, by adding the following words at the conclusion of said section:

Whenever the board of education shall deem it necessary for the proper accommodation of the schools of such city to purchase a site or sites, to erect, remodel, repair or equip school buildings, or for any or all of these purposes, and the annual funds raised from other sources are not sufficient to accomplish said purpose or purposes and a bond issue is necessary, said board is hereby authorized and empowered to order an election and submit to the voters of their city the question whether or not the board of education thereof shall issue bonds in any amount not exceeding ($200,000.00), two hundred thousand dollars, subject to the limitations provided by section (157), one hundred fifty-seven, and (158), one hundred fifty-eight, of the Constitution of this State, for the purpose of providing suitable grounds and school buildings and equipment. Provided, that due notice of said election shall be made by written or printed posters not less than one foot square, signed by the president and secretary of said board, stating the time, place and hours of said election, posted at not less than six public, conspicuous places in the city at least ten days previous to the day of election, and by one insertion thereof in a local newspaper. The board shall appoint two judges, a sheriff and a clerk to hold said election in each precinct in the city, who shall be duly sworn before acting, and shall be qualified electors and residents of the city for which they are appointed. On the day set apart for the election, the officers so appointed shall open a poll in each

precinct of said city and shall ask of each voter duly qualified: "Are you in favor of the issuing of bonds to the amount of $..... for the purpose of providing suitable grounds, school buildings and equipment for said city?" and the clerk shall record the answer "yes" or "no." If two-thirds of the voters voting at said election vote in favor of the issue of the bonds, they shall, when so issued be placed under the control of the board of education, who shall determine when and at what price and how they shall be sold: Provided, that no such bonds shall be sold for less than par; nor shall they bear greater interest than six per cent. per annum. As the bonds are sold their proceeds shall be placed to the credit of the board in the same depository which is selected for its other funds, but shall be kept in a separate account and shall be used only for the purpose or purposes for which said bonds were issued. The bonds so issued shall be designated "School Improvement Bonds" and the order shall provide the date and maturity of such bonds, the rate of interest they shall bear, and the total amount to be issued; and the order shall also contain the necessary details in reference to the execution and delivery of said bonds, their denominations, the coupons to be annexed, the tax to be levied to pay the interest and a sinking fund to retire such bonds at maturity.

It shall be the duty of the general council or the board of commissioners, in addition to the levy made for the maintenance of the schools as hereinbefore provided, to levy annually in its city tax levy a rate that will raise a sum that will be sufficient to pay the interest and create a sinking fund for the payment of the bonds at maturity. And the said taxes as collected shall be paid to the board of education or to its authorized agent, which shall create a sinking fund to take care of said bonds and pay the interest thereon.

§ 2. All laws and parts of laws in conflict herewith are hereby repealed.

The foregoing insertion shall be made just after the words: "Said tax shall be paid to the board or authorized

agent of same as fast as collected;" so that the said section when amended and re-enacted shall read:

Said board shall, within thirty days prior to the time prescribed for the levy to be made in the charter of cities of the third class, approximately ascertain the amount of money necessary to be used to defray expenses of maintaining the schools, improving or constructing buildings, etc., thereof, and any liquidation of the liabilities during the current fiscal year, and report the same, together with the estimated amount to be received from the common school fund of the State, interest on bonds and endowments, etc., to the city auditor or clerk, who shall thereupon report the same to the general council, and said general council shall make the necessary levy and collect the tax to provide suitable school buildings, and to defray the expenses necessary for school purposes: Provided, that the levy for any one year shall not exceed fifty cents, except for the purposes herinafter stated, on each one hundred dollars of value of taxable property in the city as returned by the board of equalization. Said tax shall be paid to the board or authorized agent of same as fast as collected.

Whenever the board of education shall deem it necessary for the proper accommodation of the schools of such city to purchase a site or sites, to erect, remodel, repair or equip school buildings, or for any or all of these purposes, and the annual funds raised from other sources are not sufficient to accomplish said purpose or purposes and a bond issue is necessary, said board is hereby authorized and empowered to order an election and submit to the voters of their city the question whether or not the board of education thereof shall issue bonds in any amount not exceeding ($200,000.00), two hundred thousand dollars, subject to the limitations provided by section (157), one hundred fifty-seven, and (178), one hundred fifty-eight, of the Constitution of this State, for the purpose of providing suitable grounds and school buildings and equipment: Provided, that due notice of said election

shall be made by written or printed posters not less than one foot square, signed by the president and secretary of said board, stating the time, place and hours of said election, posted at no less than six public, conspicuous places in the city, at least ten days previous to the day of election, and by one insertion thereof in a local newspaper. The board shall appoint two judges, a sheriff and a clerk to hold said election in each precinct in the city, who shall be duly sworn before acting, and shall be qualified electors and residents of the city for which they are appointed. On the day set apart for the election, the officers so appointed shall open a poll in each precinct of said city and shall ask of each voter duly qualified: "Are you in favor of the issuing of bonds to the amount of $..... for the purpose of providing suitable grounds, school buildings and equipment for said city?" and the clerk shall record the answer "yes" or "no." If two-thirds of the voters voting at said election vote in favor of the issue of the bonds, they shall, when so issued, be placed under the control of the board of education, who shall determine when and at what price and how they shall be sold; provided, that no such bonds shall be sold for less than par; nor shall they bear greater interest than six per cent. per annum. As the bonds are sold their proceeds shall be placed to the credit of the board in the same depository which is selected for its other funds, but shall be kept in a separate account and shall be used only for the purpose or purposes for which said bonds are issued. The bonds so issued shall be designated "School Improvement Bonds," and the order shall provide the date and maturity of such bonds, the rate of interest they shall bear, and the total amount to be issued; and the order shall also contain the necessary details in reference to the execution and delivery of said bonds, their denominations, the coupons to be annexed, the tax to be levied to pay the interest and a sinking fund to retire such bonds at maturity.

It shall be the duty of the general council or the board of commissioners, in addition to the levy made for the maintenance of the schools as hereinbefore provided, to levy annually in its city tax levy a rate that will raise a sum that will be sufficient to pay the interest and create a sinking fund for the payment of the bonds at maturity. And the said taxes as collected shall be paid to the board of education or to its authorized agent, which shall create a sinking fund to take care of said bonds and pay the interest thereon.

All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Harris offered the following amendment to said bill, viz.:

Amend House Bill No. 268 by striking out the following words and figures in line fourteen of section one: "not exceeding two hundred thousand ($200,000.00) dollars."

Amend same bill by striking out the following words and figures in line thirty-one, section two: "not exceeding two hundred thousand ($200,000.00) dollars."

Said amendment was adopted.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen
Chas. Ashby
B. S. Bailey
L. D. Baldauf
J. H. Ballard
W. T. Beckham
B. C. Beckmann
H. V. Bell
Leroy Bonta
W. P. Bowman
J. L. Bradford
O. V. Brown
R. J. Cain
T. L. Caudel
H. C. Chappell
Everett Cobb
A. S. Cooper
Fred Cornelius
W. P. Cropper
James S. Cruse
A. A. Demunbrun
H. L. Dixon
W. G. Dycus
I. H. Gabbard
Lark Garnett
M. E. Gilbert
W. H. Hager
L. B. Hamilton
B. H. Harris
D. J. Howard
Joe Huddleston
Chas. L. Hunter
J. W. Johnson
Leslie P. Jones
W. H. Jones
Griffin Kelly
W. F. Klair
H. A. Knollman
W. T. Lasley
S. D. Laughlin
Joseph Lazarus
J. E. Lilly
Harry J. Meyers
Claude D. Minor
S. H. Moore
John T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
H. C. McGehee
S. Lee McGohan
H. C. McLellen
W. B. O'Bannon
A. J. Oliver
T. P. Oliver
W. F. Paris
Lilburn Phelps
Luther Pieratt
Ote Piper
Richard Radcliffe
Lewis Ryans
Avery Sartin
Joe Schneider
R. T. Smith
John W. Swope
Claude M. Thomas
Elmore Thomas
John B. Thomas
Geo. F. Thompson
J. T. Thornton
S. G. Thornberry
F. C. VanHoose
G. C. Waggoner
G. F. Walthal
T. R. Welch
E. G. Young

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Resolved, that the title thereof be as aforesaid.

The House then took up for consideration the special order set for this hour, namely, a bill entitled:

H. B. 269. An act to amend section 3462, chapter 89, Kentucky Statutes, relating to the government of cities of the third class and providing for election of boards of education.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3462 of subdivision IX, of article IV, of chapter 89 of Kentucky Statutes, Carroll's edition 1915, be amended by striking out the following words: "And for the appropriation of money or the execution of a contract, the concurrence of two-thirds of the members elect of said board shall be indispensable," and by inserting the following:

All elections for members of the board of education shall be by secret ballot. Said ballot shall be on a separate sheet from all other ballots to be used in any election. It shall be the duty of the county clerk of any county in which a city of the third class is located to cause to be printed on said ballot the names of all candidates for membership of the board of education of said city, in whose behalf he may be petitioned so to do in writing by not less than twenty-five legal voters of said city. The petition must be filed in the office of the county clerk not more than sixty and not less than fifteen days before the day of election, and each petition must be signed by the requisite number of qualified persons and shall show the place of residence of each person signing it, and no person shall sign more petitions than the number of offices to be filled. If the nomination is to fill a vacancy, the petition shall so state. When the same person shall be nominated for a full term and to fill a vacancy, he shall be accepted as a candidate for the full term.

Said ballot shall be in the form prescribed for ballots by the general election law of the State, except that no party emblem or other emblem or distinguishing mark shall be placed upon said ballot, save the words, "School Ticket" at the head thereof; and that the names of all candidates for membership in the board of education shall be printed on said ballot in a single column. The names shall be printed upon the first fifty ballots as arranged in alphabetic order.

On each of the succeeding fifty ballots the names shall be printed in the same order, save the last name on the preceding fifty ballots shall be shifted to the first place; and so on thereafter throughout, a like change being made in the printed order of names for every fifty ballots, and such ballots shall be so bound that in the book of ballots for each voting precinct, each candidate's name will appear first on approximately the same number of ballots as that of every other candidate. As many additional lines shall be left blank as there are members to be elected.

The provisions of the general election laws of the State of Kentucky as to the duties of county clerks and other public officers in the matter of printing and distributing ballots, of issuing them to voters, of receiving and depositing them in the ballot boxes, and of counting and preserving them, and in other particulars except as otherwise provided herein shall be applicable in all respects to the election of members of the board of education; Provided, that it shall be the duty of the sheriff in each county in which a city of the third class is situated to provide for each precinct in said city a separate box for the reception of the ballots used in the election of the members of the board of education. And provided further, that it shall be the duty of the judge of the election, of the opposite political faith to the clerk of election, in each precinct to issue the ballots in the same manner as other ballots are issued by the clerk of election, by writing the name and residence of the voter upon the primary stub, and his registered number upon the secondary stub of the school ballot, and observing as to these ballots such other regulations for the issue and deposit of ballots as may be prescribed for elections generally. It shall be unlawful for an election officer or other person within the election booth, to tell or to indicate, by word of mouth or otherwise, to a voter what may be the political affiliation of any candidate and a violation of this provision shall be a misdemeanor punishable by fine not exceeding two hundred dollars. And provided, further,

that upon the filing with the county judge of the county wherein a city of the third class is situated, of a peititon signed by a number of legal voters equal to twenty per cent or more of the total number of votes cast in said city at the last preceding election in which presidential electors were voted for, requesting that the election of members of the board of education in said city be held on a day other than the day for holding the general election therein, said county judge shall make an order designating some day for the election of members of the board of education in said city, which day shall not be less than ninety nor more than one hundred twenty days after the day whereon said order shall have been entered. Whenever such order shall have been entered by said court, the day so designated by him shall thereafter continue, unless changed by order of court as herein provided, to be the day for holding elections for members of the board of education, and all provisions of this act and of the law regulating elections in the Commonwealth, when not otherwise inconsistent, shall apply to and govern such elections, except that it shall be the duty of the clerk of said election to issue said ballots in said separate elections in the same manner as other ballots are issued by him in general elections. Said petition to be filed with the county court as aforesaid, shall be filed not later than the first day of September of the regular year or years for holding said election and shall show the place of residence of each person signing it, and the order of the county judge with reference thereto shall be entered within fifteen days after the filing of the same. The expense of holding said separate election, if ordered, shall be paid for by the city wherein same shall be held, out of its general fund.

Each voter may vote for as many of said candidates as there are members to be elected, by making a cross in the square opposite the name of each candidate for whom he wishes to vote. The candidates, in number equal to the number of members to be chosen, who have the highest number of votes, shall be declared elected. If at any election a mem-

ber is to be chosen to fill a vacancy and to serve out an unexpired term, candidates may be chosen as above provided, but they shall be designated on the ballot as candidates to fill a vacancy, and the date of the unexpired term shall be stated.

The foregoing insertion shall be made just after the words, "said trustees shall possess the same qualifications as are required for councilmen," and just before the words, "said board of education shall be continued and is hereby declared a body politic, etc." So that said act when amended and re-enacted shall read as follows:

There shall be maintained a system of public scholos at which all children residing in the city between the ages of six and twenty years may be taught at public expense. Said schools shall be under the control of a board to be styled, "The Board of Education," consisting of two trustees from each ward of the city, to be elected at the general November election of 1893 by the qualified voters of the city at large. The trustees so elected shall hold their offices, one-half for two years, one-half for four years, as shall be determined by lot at the first regular meeting after the election. And at the general election every two years thereafter, there shall be elected by the qualified voters at large, one trustee from each ward in the city from which the term of his predecessor in office will then expire; said trustees shall possess the same qualifications as are required for councilmen.

All elections for members of the board of education shall be by secret ballot. Said ballot shall be on a separate sheet from all other ballots to be used in any election. It shall be the duty of the county clerk of any county in which a city of the third class is located to cause to be printed on said ballot the names of all candidates for membership of the board of education of said city, in whose behalf he may be petitioned so to do in writing by not less than twenty-five legal voters of said city. The petition must be filed in the office of the

county clerk not more than sixty and not less than fifteen days before the day of election, and each petition must be signed by the requisite number of qualified persons and shall show the place of residence of each person signing it, and no person shall sign more petitions than the number of offices to be filled. If the nomination is to fill a vacancy, the petition shall so state. When the same person shall be nominated for a full term and to fill a vacancy, he shall be accepted as a candidate for the full term.

Said ballot shall be in the form prescribed for ballots by the general election law of the State, except that no party emblem or other emblem or distinguishing mark shall be placed upon said ballot, save the words "School Ticket" at the head thereof; and that the names of all candidates for membership in the board of education shall be printed in a single column. The names shall be printed upon the first fifty ballots as arranged in alphabetic order. On each of the succeeding fifty ballots, the names shall be printed in the same order, save that the last name on the preceding fifty ballots shall be shifted to first place; and so on therafter throughout, a like change being made in the printed order of names for every fifty ballots, and these ballots shall be so bound that in the book of ballots for each voting precinct, each candidate's name will appear first on approximately the same number of ballots as that of every other candidate. As many additional lines shall be left blank as there are members to be elected. The provisions of the general election laws of the State of Kentucky as to the duties of county clerks and other public officers in the matter of printing and distributing ballots, of issuing them to voters, of receiving and depositing them in the ballot boxes, and of counting and preserving them, and in other particulars except as otherwise provided herein, shall be applicable in all respects to the election of members of the board of education; Provided, that it shall be the duty of the sheriff in each county in which a city of the third class is situated, to provide for each precinct in

the said city a separate box for the reception of the ballots used in the election of the members of the board of education. And provided, further, that it shall be the duty of the judge of the election, of the opposite political faith to the clerk of election in each precinct, to issue the ballots in the same manner as other ballots are issued by the clerk of election, by writing the name and address of the voter upon the primary stub, and his registered number upon the secondary stub of the school ballot, and observing as to these ballots such other regulations for the issue and deposit of ballots, as may be prescribed for elections generally. It shall be unlawful for an election officer or other person within the election booth, to tell or indicate, by word of mouth or otherwise, to a voter what may be the political affiliation of any candidate, and a violation of this provision shall be a misdemeanor punishable by a fine not exceeing two hundred dollars. And, provided, further, that upon the filing with the county judge of the county wherein a city of the third class is situated, of a petition signed by a number of legal voters equal to twenty per cent. or more of the total number of votes cast in said city at the last preceding election, in which presidential electors were voted for, requesting that the election of members of the board of education in said city shall be held on a day other than the day for holding the general election therein, said county judge shall make an order, designating some day for the election of members of the board of education in said city, which day shall not be less than ninety nor more than one hundred and twenty days after the day wherein said order shall have been entered. Whenever such order shall have been entered by said court, the day so designated by him shall thereafter continue, unless changed by order of court as herein provided, to be the day for holding elections for members of the board of education, and all provisions of this act and of the law regulating elections in the Commonwealth, when not otherwise inconsistent, shall apply to and govern such elections, except that it shall be the duty of the clerk of

said election to issue said ballots in said separate election in the same manner as other ballots are issued by him in general elections. Said petition to be filed with the county court as aforesaid, shall be filed not later than the first day of September of the regular year or years for holding said election and shall show the place of residence of each person signing it, and the order of the county judge with reference thereto shall be entered within fifteen days after the filing of the same. The expense of holding said separate election if ordered shall be paid for by the city wherein same shall be held, out of its general fund.

Each voter may vote for as many of said candidates as there are members to be elected, by making a cross in the square opposite the name of each candidate for whom he wishes to vote. The candidates, in number equal to the number of members to be elected, who have the highest number of votes shall be declared elected. If at any election a member is to be chosen to fill a vacancy and to fill out an unexpired term, candidates may be chosen as above provided, but they shall be designated on the ballot as candidates to fill a vacancy, and the date of the unexpired term shall be stated.

Said board of education shall continue, and it is hereby declared, a body-politic and corporate, under the name and style of board of education, with perpetual succession, and by that name may contract and be contracted with, sue and be sued, have and use a corporate seal, the same to renew or alter at pleasure; may purchase, receive, hold, lease, sell and dispose of real and personal estate for public schools of the city, and the property and funds thereunto belonging, shall be, and is hereby, vested in said board, subject to the provisions of this law. It shall have power to make by-laws and rules, not in conflict herewith, necessary for the discharge of its duties and the government of its proceedings. It shall meet once in each month or oftener if necessary, and a majority elect of said board shall constitute a quorum for the transaction of business, and the yeas and nays shall be entered on

record. The meetings of said board shall be held in some public place, and a correct record of its proceedings shall be kept in a book provided for that purpose, which shall be a public record.

§ 2. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	H. L. Dixon	J. E. Lilly
B. S. Bailey	W. G. Dycus	Harry J. Meyers
L. D. Baldauf	J. M. Elliston	Clarence Miller
J. H. Ballard	I. H. Gabbard	Claude D Minor
Robert Bays	M. E. Gilbert	John T. Murphy
W. T. Beckham	W. H. Hager	A. J. McCandless
B. C. Beckmann	E. C. Hardin	W. P. McDonogh
H. V. Bell	B. H. Harris	H. C. McGehee
Leroy Bonta	D. J. Howard	S. Lee McGohan
W. P. Bowman	Joe Huddleston	H. C. McLellen
O. V. Brown	Chas. L. Hunter	W. B. O'Bannon
R. J. Cain	J. W. Johnson	A. J. Oliver
T. L. Caudel	Leslie P. Jones	W. F. Paris
H. C. Chappell	W. H. Jones	Ote Piper
Everett Cobb	Griffin Kelly	Richard Radcliffe
A. S. Cooper	W. F. Klair	Lewis Ryans
W. P. Cropper	H. A. Knollman	Avery Sartin
James S. Cruse	S. D. Laughlin	Joe Schneider
Harry Dill	Joseph Lazarus	R. T. Smith

Ben Street	G. F. Thompson	Geo. C. Waggoner
John W. Swope	J. T. Thornton	G. F. Walthal
C. M. Thomas	S. G. Thornberry	T. R. Welch
Elmore Thomas	J. Wood Vance	E. G. Young
John B. Thomas	F. C. VanHoose	—71

Resolved, that the title thereof be as aforesaid.

Mr. Cruse moved that the vote by which said bill was passed be reconsidered and said motion lie on the table.

Said motion was agreed to.

Mr. Laughlin moved that the rules be suspended and that House Bill No. 457 be taken from the orders of the day and placed upon its passage.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 457. An act to amend section 965, Kentucky Statutes, relating to circuit court in the Nineteenth Judicial District.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section nine hundred and sixty-five of the Kentucky Statutes, in so far as it relates to the nineteenth Circuit Court District be, and the same is, hereby amended by striking from said section all that part which relates to the time of holding of courts in the Nineteenth Circuit Court District, and inserting in lieu thereof the following:

Nineteenth District.—Mason county, at Maysville, on first Monday in September, first Monday in December and fourth Monday in March, and continue each for thirty-six juridical days. Fleming county, at Flemingsburg, on the third Monday in October, on the third Monday in January, to continue each for eighteen juridical days, and on the second Monday in May, and continue for twenty-four juridical days. Bracken county, at Brooksville, on second Monday in November, on the first Monday in March and the second Monday in June, and continue each for eighteen juridical days.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	W. G. Dycus	Griffin Kelly
B. S. Bailey	J. M. Elliston	W. F. Klair
L. D. Baldauf	I. H. Gabbard	H. A. Knollmann
A. L. Baldwin	W. H. Hager	S. D. Laughlin
W. T. Beckham	J. S. Hall	Joseph Lazarus
B. C. Beckmann	A. L. Hamilton	M. E. Lee
H. V. Bell	L. B. Hamilton	J. E. Lilly
Leroy Bonta	B. H. Harris	Harry J. Meyers
W. P. Bowman	David J. Howard	Clarence Miller
R. J. Cain	Joe Huddleston	Claude D Minor
T. L. Caudel	Chas. L. Hunter	S. H. Moore
John Cook	J. W. Johnson	John T. Murphy
A. S. Cooper	Leslie P. Jones	Ryland C. Musick
A. A. Demunbrun	W. H. Jones	W. P. McDonogh

H. C. McGehee	Lewis Ryans	S. G. Thornberry
H. C. McLellen	Avery Sartin	J. Wood Vance
W. B. O'Bannon	Joe Schneider	F. C. VanHoose
A. J. Oliver	R. T. Smith	Geo. C. Waggoner
W. F. Paris	Ben Street	G. Frank Walthal
Luther Pieratt	John W. Swope	T. R. Welch
Ote Piper	Claude M. Thomas	E. G. Young
Richard Radcliffe	Geo. F. Thompson	
H. C. Rice	J. T. Thornton	—67

There voted in the negative—

F. A. Easterling —1

Resolved, that the title thereof be as aforesaid.

The House then took up for consideration the special order set for this hour, namely, a bill entitled:

H. B. 274. An act to provide for the payment of the clerical assistance of the Auditor of Public Accounts and for additional assistance for the proper conduct of said office.

Said bill reads as follows. viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in addition to the amount now appropriated for clerk hire for the conduct of the business of the office of Auditor of Public Accounts, there is hereby appropriated out of any money in the treasury not otherwise appropriated the sum of five thousand ($5,000.00) dollars annually, or so much thereof as may be necessary, to be disbursed monthly by the Auditor, for such clerical assistance and for such additional clerk hire as may be necessary for the proper conduct of said office.

§ 2. The amount now allowed by law for the employment of clerical assistance in said department being inadequate for the proper transaction of the public business, an emergency is hereby declared to exist and this act shall take effect and be in full force from the date of its passage and approval by the governor.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	H. L. Dixon	Ryland C. Musick
Chas. Ashby	W. G. Dycus	W. P. McDonogh
B. S. Bailey	F. A. Easterling	H. C. McGehee
L. D. Baldauf	J. M. Elliston	S. Lee McGohan
J. H. Ballard	I. H. Gabbard	W. B. O'Bannon
A. L. Baldwin	Lark Garnett	A. J. Oliver
W. T. Beckham	J. S. Hall	T. P. Oliver
B. C. Beckmann	L. B. Hamilton	W. F. Paris
H. V. Bell	E. C. Hardin	Lilburn Phelps
Leroy Bonta	B. H. Harris	Luther Pieratt
W. P. Bowman	Chas. L. Hunter	Ote Piper
J. L. Bradford	Leslie P. Jones	Richard Radcliffe
O. V. Brown	Griffin Kelly	Lewis Ryans
R. J. Cain	W. F. Klair	Joe Schneider
T. L. Caudel	H. A. Knollmann	R. T. Smith
Everett Cobb	Joseph Lazarus	Ben Street
A. S. Cooper	J. E. Lilly	John W. Swope
Fred Cornelius	Harry J. Meyers	Claude M. Thomas
W. P. Cropper	Claude D. Minor	Elmore Thomas

John B. Thomas	J. Wood Vance	T. R. Welch
Geo. F. Thompson	F. C. VanHoose	W. N. Winn
J. T. Thornton	Geo. C. Waggoner	E. G. Young
S. G. Thornberry	G. F. Walthal	—68

Those who voted in the negative were—

John Cook	A. J. McCandless	John T. Murphy
J. W. Johnson		—4

Resolved, that the title thereof be as aforesaid.

A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, viz.:

S. B. 85. An act providing for oiling of the streets and alleys of cities and towns of the fourth, fifth and sixth classes of this Comonwealth.

To the Committee on Cities of the Fifth and Sixth Class.

S. B. 121 An act to amend and re-enact section 1074 of Kentucky Statutes, Carroll's edition 1915, so as to enlarge the jurisdiction of county courts in the trial of misdemeanor cases under certain conditions.

To the Committee on County and City Courts.

S. B. 165. An act relating to the Bureau of Agriculture, Labor and Statistics, providing that it shall do demonstration work and may co-operate with state and government authorities in holding agricultural meetings and making an appropriation therefor.

To the Committee on Appropriations.

S. B. 195. An act to further provide for the organization, armament, equipment, discipline and government of the militia, and providing for the qualifications and terms of office of certain military officers.

To the Committee on Military Affairs.

Mr. Hardin moved that the session of today be extended until the calendar is read.

Said motion was agreed to.

Mr. Dill called up for consideration from the Clerk's desk a resolution of the following title, viz.:

H. Res. 25. A joint resolution to reimburse certain persons in Campbell county for the unexpired term values of their liquor licenses made inoperative by reason of war orders and ordinances passed pursuant thereto.

(For said resolution see H. J. March 4, 1918.)

Mr. Dill moved that said resolution be adopted.

The yeas and nays being taken on the adoption of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	Leroy Bonta	Fred Cornelius
B. S. Bailey	W. P. Bowman	W. P. Cropper
L. D. Baldauf	O. V. Brown	James S. Cruse
A. L. Baldwin	R. J. Cain	Harry Dill
W. T. Beckham	H. C. Chappell	H. L. Dixon
B. C. Beckmann	John Cook	W. G. Dycus
H. V. Bell	A. S. Cooper	F. A. Easterling

J. M. Elliston	Harry J. Meyers	Avery Sartin
I. H. Gabbard	Clarence Miller	Joe Schneider
Lark Garnett	Claude D. Minor	R. T. Smith
W. H. Hager	John T. Murphy	Thomas Spurrier
A. L. Hamilton	Ryland C. Musick	John W. Swope
L. B. Hamilton	W. P. McDonogh	Claude M. Thomas
E. C. Hardin	H. C. McGehee	Elmore Thomas
David J. Howard	S. Lee McGohan	John B. Thomas
Chas. L. Hunter	H. C. McLellen	Geo. F. Thompson
J. W. Johnson	W. B. O'Bannon	J. T. Thornton
W. F. Klair	A. J. Oliver	J. Wood Vance
H. A Knollmann	W. F. Paris	F. C. VanHoose
S. D. Laughlin	Lilburn Phelps	Geo. C. Waggoner
Joseph Lazarus	Ote Piper	W. N. Winn
M. E. Lee	Richard Radcliffe	E. G. Young
J. F. Lilly	Lewis Ryans	—68

And so said resolution was adopted.

The House then took up for consideration from the calendar bills of the following titles, viz.:

S. B. 92. An act to amend chapter 71 of the Acts of the General Assembly of 1916, which is an act to regulate the practice of veterinary medicine, surgery and dentistry in the state of Kentucky; to license non-graduate veterinarians; to establish a State Board of Veterinary Examiners and to provide penalties for violating the provisions thereof, which act was signed by the Governor on March 24, 1916.

S. B. 259. An act relating to public health, repealing, amending and re-enacting sections 2054, 2059, 2060 and 2061 of the Kentucky Statutes, Carroll's edition of 1915, relating to the State Board of Health, creating bureaus within said board to perform the functions of the existing State Tuberculosis Commission, the Hotel Inspector, the Pure Food and Drug Division of the Agricultural Experiment Station, and

for other purposes; creating county and district departments of health and providing and limiting appropriations of the State Board of Health and further defining its powers and duties.

H. Res. 27. Joint resolution providing for the creation of an Industrial Commission to study labor and industrial conditions, wages, labor laws, and other matters of importance to the welfare and development of the state, and for a report thereon.

S. B. 46. An act to amend subsection 8 of chapter 9a, Kentucky Statutes, being section 165 Kentucky Statutes, Carroll's edition, 1915, relating to the banking department, by providing that the Banking Commissioner may accept examinations made by the Federal Reserve authorities in lieu of his official examinations, and authorizing the Banking Commissioner to furnish to the Federal Reserve Agent of the district in which a member bank may be situated copies of examinations and reports of member banks.

S. B. 118. An act to amend sections 579 and 584, Kentucky Statutes, Carroll's 1915 edition, relating to the powers of banking corporations and the required reserves of such corporations, by providing that banking institutions created and organized under the laws of this Commonwealth may pledge any portion of their assets as security for deposits of the United States Government, and further providing that such banks or trust companies which shall become members of a Federal Reserve Bank may conform to the reserve requirements of the act of Congress known as the Federal Reserve Act, in lieu of reserves required by the laws of this Commonwealth.

S. B. 131. An act to amend sections 1, 7, 16, 17 and 45 of an act entitled an act to provide an elective system of

workmen's compensation for industrial accidents, and known as chapter 33 of the Acts of the General Assembly of the Commonwealth of Kentucky, and approved by the Governor March 23, 1916.

With an amendment thereto.

S. B. 59. An act to repeal and re-enact article 15, chapter 32, Kentucky Statutes, which is entitled sale and purchase of corporations, and consists of section 883b of Carroll's Statutes, 1915 edition, by substituting the terms of this act therefor.

H. B. 29. An act to amend section 2251, Kentucky Statutes, Carroll's edition, providing for compensation of grand jurors.

H. B. 30. An act to amend section 2260 of the Kentucky Statutes, Carroll's edition, providing for the pay of jurors and re-enacting the same.

H. B. 362. An act to enlarge the powers of court house commissioners in counties having a court house district.

H. B. 419. An act to regulate conducting pool tables, billiard tables and pigeon hole tables outside of incorporated towns.

H. B. 514. An act to repeal subsection 5 of section 493 of the Kentucky Civil Code of Practice and to re-enact said subsection 5 of section 493 of the Civil Code.

H. B. 500. An act to repeal an act to incorporate the town of Ford, Clark county, Kentucky, and an act amendatory thereto.

H. B. 502. An act to repeal an act of the General Assembly of 1880, incorporating the town of McKinney, Lincoln county, Ky.

H. B. 510. An act relating to crimes and punishment and allowing persons convicted of felonies to execute bond pending appeal to Court of Appeals.

H. B. 512. An act to amend subsection 1 of section 4780 of the Kentucky Statutes, Carroll's 1915 edition, being an act approved March 21, 1904.

H. B. 515. An act to provide for the opening of private passways.

H. B. 238 An act to establish an athletic board of control and prescribing the duties and power of same and to license and regulate the giving or holding of boxing or sparring contests or exhibitions in this state; providing for the payment of a tax and license and prohibiting the sale of intoxicating liquors on the premises where any boxing exhibition is held, and prohibiting any betting of gaming at any such contest, and providing for penalty of violation of this act.

S. B. 136. An act to create the Kentucky Council of Defense, defining its powers, purposes, objects and duties and providing an appropriation therefor.

S. B. 240. An act to amend section 3486-3503 of the Kentucky Statutes, Carroll's edition, 1915, relating to cities of the fourth class.

H. B. 444. An act to amend section 3373 of Carroll's Kentucky Statutes, edition 1915.

S. B. 76. An act to amend subsection 12, section 3290, chapter 89 of the Kentucky Statutes, relating to the government of third class cities.

H. B. 374. An act relating to claims against the Treasury, particularly the per diem of members of boards, and the traveling and hotel expenses of state officers, members of boards and employes.

H. B. 505. An act for the protection of the health and comfort of ladies, by prohibiting smoking in certain dining rooms.

H. B. 428. An act to amend an act approved March 14, 1912, entitled an act to regulate the employment of females in order to safeguard their health.

H. B. 506. An act to amend section 1 of an act in relation to advertisements and entitled "advertisements," approved January 13, 1893.

H. B. 438. An act amending section 1811, Kentucky Statutes, Carroll's 1915 edition, relating to ferries.

H. B. 448. An act to amend and re-enact section 4814b, Kentucky Statutes, edition 1915, relating to tobacco warehousemen.

S. B. 180. An act to amend an act entitled an act creating the Thirty-sixth Judicial District of Kentucky, fixing the time of holding courts thereof, providing for the appointment of and election of a circuit judge and Commonwealth's attorney, and changing the Twenty-third, Thirty-first and Thirty-second Judicial Districts of Kentucky so as to provide for said Thirty-sixth District, and fixing the time for holding the courts in said district and in other districts affected.

S. B. 20. An act abolishing the fellow servant rule of law and modifying the doctrine of contributory negligence and assumed risk between master and servant, in actions arising between common carriers and their employes in this state.

The constitutional provision as to the second reading of said bills at length being dispensed with said bills were severally read the second time by their titles and ordered to be placed in the orders of the day.

And then the House, at twelve o'clock noon, recessed until two o'clock p. m. today.

AFTERNOON SESSION.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen	W. H. Hager	S. Lee McGohan
Chas. Ashby	J. S. Hall	H. C. McLellen
B. S. Bailey	A. L. Hamilton	A. J. Oliver
L. D. Baldauf	E. C. Hardin	Lilburn Phelps
A. L. Baldwin	B. H. Harris	Luther Pieratt
B C. Beckmann	Joe Huddleston	Ote Piper
H. V. Bell	A. R. Hudson	H. C. Rice
Leroy Bonta	J. W. Johnson	Lewis Ryans
J. L. Bradford	Leslie P. Jones	Avery Sartin
O. V. Brown	W. H. Jones	R. T. Smith
R. J. Cain	Griffin Kelly	Thomas Spurrier
Everett Cobb	W. F. Klair	John W. Swope
John Cook	H. A. Knollmann	Claude M. Thomas
A. S. Cooper	S. D. Laughlin	Elmore Thomas
W. P. Cropper	M. E. Lee	J. B. Thomas
H. L. Dixon	Claude D. Minor	Geo. F. Thompson
J. M. Elliston	S. H. Moore	S. G. Thornberry
L. L. Embry	Ryland C. Musick	J. Wood Vance
Lark Garnett	A. J. McCandless	F. C. VanHoose
M. E. Gilbert	H. C. McGehee	E. G. Young

—60

The House took up for consideration from the orders of the day a bill entitled:

H. B. 151. A bill to prohibit the German language from being taught in the public schools of Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That it shall be unlawful for any teacher, person or persons employed in the public schools of Kentucky to teach the German language to any pupil taught at public expense.

Every person violating the provisions of this act shall be fined not less than $5.00 and not more than $25.00 for each offense. Each day taught shall count as a separate offense.

This act shall become operative June 30, 1918.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	J. L. Bradford	W. P. Cropper
L. D. Baldauf	O. V. Brown	Harry Dill
A. L. Baldwin	R. J. Cain	J. M. Elliston
W. T. Beckham	T. L. Caudel	I. H. Gabbard
H. V. Bell	Everett Cobb	Lark Garnett
Leroy Bonta	Fred Cornelius	M. E. Gilbert

E. C. Hardin	Claude D. Minor	Avery Sartin
B. H. Harris	S. H. Moore	Joe Schneider
Joe Huddleston	John T. Murphy	John W. Swope
A. R. Hudson	Ryland C. Musick	Claude M. Thomas
Leslie P. Jones	A. J. McCandless	S. G. Thornberry
W. H. Jones	H. C. McGehee	J. Wood Vance
H. A Knollmann	S. Lee McGohan	F. C. VanHoose
S. D. Laughlin	W. F. Paris	T. R. Welch
Joseph Lazarus	Luther Pieratt	W. N. Winn
M. E. Lee	Ote Piper	E. G. Young
Harry J. Meyers	H. C. Rice	—50

Those who voted in the negative were—

Ed. L. Allen	H. L. Dixon	Griffin Kelly
B. S. Bailey	F. A. Easterling	Lilburn Phelps
B. C. Beckmann	L. L. Embry	R. T. Smith
John Cook	W. H. Hager	Thomas Spurrier
A. S. Cooper	J. S. Hall	J. B. Thomas
James S. Cruse	J. W. Johnson	Geo. C. Waggoner
		—18

Resolved, that the title thereof be as aforesaid.

Mr. Claude M. Thomas moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration the special order set for this hour, namely two thirty o'clock p. m., a bill entitled:

H. B. 230. An act to amend section 104, chapter 24, session acts of the General Assembly 1916, relating to schools and education, so as to provide adequate pay for teachers in the common schools.

Mr. Phelps moved that Senate Bill No. 137, now in the orders of the day, be substituted in the place and stead of said House Bill No. 230, and said Senate bill be placed upon its passage, and House Bill No. 230, be recommitted to the Committee on Education No. 2.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

S. B. 137. An act to repeal sections 15, 16 and 104 of chapter 24, Acts of the General Assembly of 1916, approved March 18, 1916, relating to the distribution of the State school funds and county school funds, length of school terms and payment of teachers' salaries, and substituting new sections therefor, providing for the distribution of said funds, for the length of school terms, for the time and manner of paying teachers' salaries and for an increase of such salaries.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Section Repealed—New Section Substituted.—That section 15 of chapter 24, of the Acts of the General Assembly of 1916, approved March 18, 1916, be and the same is hereby repealed and there is hereby enacted in lieu thereof the following:

"Section 15—Distribution by Auditor on Warrants of Superintendent—Dates of. * *—For each school year the Auditor of Public Accounts, on the successive warrants of the Superintendent of Public Instruction, shall distribute the amount of the school fund due each county superintendent of common schools and the amount due each city, town or village organized as one district, to the treasurer of the

school board thereof as follows: On or before the first day of September one-sixth of the whole amount; on or before the first day of October one-sixth of the whole amount; on or before the first day of November one-sixth of the whole amount; on or before the first day of December one-sixth of the whole amount; on or before the first day of January one-sixth of the whole amount, and on or before February the first the residue including the undistributed surplus; provided that if the amount in the treasury on the first day of September, October, November, December, January or February be insufficient to admit of a full distribution of the proportion required by this act, then the Auditor of Public Accounts shall upon the successive warrants of the Superintendent of Public Instruction issue his warrants, bearing interest at the rate of five per centum per annum for the residue. The warrant shall be paid, together with the interest thereon, out of the common school fund."

§ 2. Section 16 of Chapter 24 Repealed—New Section Substituted.—That section 16 of chapter 24 of said Acts be, an it is, hereby repealed and there is hereby enacted in lieu thereof the following:

"The school term shall not be less than six months (120 days) and may by the Superintendent of Public Instruction be extended to seven months or eight months when the resources of the school fund or contributions by local taxation or donations shall justify such extension; provided, however, no such extension shall be made if it reduces the salaries of the teachers below the standards fixed in this act. When the school term is extended to seven months the school fund for that year shall be divided into seven equal installments, and if extended to eight months, into eight equal installments. When either such extension is made six installments shall be paid as hereinbefore provided and when the term is seven months the last payment shall be on the first day of March; when the term is eight months the last payment shall be on

the first day of April, on warrants as in case of a six months' term.

"The second Saturday of each of the aforesaid months is hereby designated as the day on which the county superintendent of common schools and the treasurer of each school board of a city, town or village organized as a separate common school district, shall pay to the teachers under them the sums due said teachers, according to the provisions of this act."

§ 3. Section 104 Repealed—New Section Substituted.—That section 104 of said chapter 24, Acts of 1915, be, and the same is, hereby repealed and there is enacted in lieu thereof the following:

"Section 104—State School Funds—Distribution of by County Board of Education.—The county board of education shall have power to distribute the state school funds received from the State Treasurer as provided by this act, for the payment of teachers' salaries; provided that no salary paid to any teacher teaching in a second class school in any subdistrict shall be less than fifty dollars per month, and no salary paid to a teacher teaching in any first class school shall be paid less than sixty dollars per month. The county board of education shall prepare a salary schedule graduated on the basis of census, attendance, experience and qualifications of teachers."

Mr. A. J. Oliver offered the following amendment to said bill, viz.:

Amend Senate Bill No. 137 by striking out the word "forty-five," in line nine of section 3, and inserting in lieu thereof the word "fifty," and by striking out the word "fifty" and inserting the word "fifty-five," in line eleven of section 3.

Said amendment was adopted.

Mr. Allen offered the following amendment to said bill, viz.:

Amend Senate Bill No. 137 by adding after the word "dollars," in line eleven, section 3, "nor more than eighty dollars."

Said amendment was adopted.

Mr. Allen offered the following amendment to Senate Bill No. 137, viz.:

Amend Senate Bill No. 137 by adding after the word "act," in line nine, section 2, the following: "Provided if the funds are not sufficient for a six months' term under the provisions of this act, and any county board of education shall fail to supplement the state funds available for any year, then the term may be less than six months."

Said amendment was adopted.

Mr. Cobb offered the following amendment to Senate Bill No. 137, viz.:

Amend Senate Bill No. 137, section 3, line eight, by striking out the words "a second class" and substituting the words "any school" in lieu thereof.

Said amendment was disagreed to.

Mr. Bell moved that said bill and all amendments be recommitted to the Committee on Education No. 1, with leave to report at any time.

Said motion was disagreed to.

Mr. Klair moved the previous question.

The Speaker stated: Shall the main question be now put?

Said question was decided in the affirmative.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and as amended was passed.

The yeas and nays being taken upon the passage of said bill in accordance with the provision of the Constitution were as follows. viz.:

Those who voted in the affirmative were—

Ed. L. Allen
Chas. Ashby
B. S. Bailey
L. D. Baldauf
A. L. Baldwin
B. C. Beckmann
Leroy Bonta
J. L. Bradford
R. J. Cain
Everett Cobb
John Cook
A. S. Cooper
Fred Cornelius
W. P. Cropper
James S. Cruse
W. G. Dycus
F. A. Easterling
J. M. Elliston
L. L. Embry
I. H. Gabbard
Lark Garnett
W. H. Hager
J. S. Hall
E. C. Hardin
Joe Huddleston
A. R. Hudson
J. W. Johnson
W. H. Jones
Griffin Kelly
W. F. Klair
H. A Knollmann
Joseph Lazarus
Harry J. Meyers
Clarence Miller
Claude D. Minor
John T. Murphy
Ryland C. Musick
H. C. McGehee
S. Lee McGohan
H. C. McLellen
A. J. Oliver
W. F. Paris
Lilburn Phelps
Luther Pieratt
Ote Piper
Richard Radcliffe
Lewis Ryans
Avery Sartin
Joe Schneider
R. T. Smith
Thomas Spurrier
John W. Swope
Elmore Thomas
John B. Thomas
Geo. F. Thompson
S. G. Thornberry
J. Wood Vance
Geo. C. Waggoner
W. N. Winn
E. G. Young

—60

Those who voted in the negative were—

W. T. Beckham	S. H. Moore	F. C. VanHoose	
M. E. Gilbert	A. J. McCandless		
S. D. Laughlin	Claude M. Thomas		—7

Resolved, that the title thereof be as aforesaid.

Mr. Phelps moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

By the unanimous consent of the House, Mr. Radcliffe offered the following joint resolution, viz.:

H. Res. 33. A resolution petitioning Hon. W. G. McAdoo, director of railways, to furnish cars for transportation of tobacco.

Whereas, there has not been sufficient cars furnished by the railroads of Kentucky to move the tobacco crops from the warehouses to the factories, and,

Whereas, it is necessary for the tobacco crop to be disposed of in order that the farmers can give their entire attention immediately to preparing for the coming crops; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That W. G. McAdoo, director of railroads of the United States, be petitioned by this General Assembly to give to the tobacco growers of Kentucky such aid as he can in furnishing cars to move the tobacco crop from the warehouses to the factories.

§ 2. That copies of this resolution, attested by the Speaker of the House, the President of the Senate, and the Clerks of the House and Senate, be mailed to Hon. W. G. McAdoo, director of railroads, Washington, D. C.

Ordered, that said resolution lie on the Clerk's desk.

Mr. Klair moved that the session of today be extended until the Committee on Enrollments shall have had an opportunity to report.

As an amendment to said motion, Mr. Murphy moved that the session be extended indefinitely.

Said last named motion was disagreed to.

Said motion made by Mr. Klair was then agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 108. An act repealing section 4527, chapter 113, article 16, Kentucky Statutes, Carroll's edition, 1915, relative to the State Normal School for Colored Persons and amending and re-enacting same.

Mr. A. J. Oliver moved that said bill be recommitted to the Committee on Education No. 2, with leave to report at any time.

Said motion was agreed to.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a resolution and a bill of the following titles, viz.:

S. Res. 15. Resolution providing for the adoption of the Legislative Digest as the official publication of the General Assembly, and to purchase copies of same for members of the General Assembly and certain officials.

S. B. 66. An act repealing section 4527, chapter 113, article 16, Kentucky Statutes, Carroll's edition 1915, relative

to the State Normal School for Colored Persons and amending and re-enacting same.

Whereupon all other business was suspended, said resolution and said bill were read at length and compared in open House, and were found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said resolution and said bill.

Ordered, that the Enrolling Clerk deliver said resolution and said bill to the Senate.

And then the House, at four o'clock p. m., adjourned.

FRIDAY, MARCH 8, 1918.

The House was opened with prayer by the Rev. Father O'Dwyer, pastor of the Catholic Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum the call resulted as follows, viz.:

Robert Bays	John Cook	A. L. Hamilton
W. T. Beckham	Fred Cornelius	L. B. Hamilton
B. C. Beckmann	W. P. Cropper	B. H. Harris
H. V. Bell	J. C. Davis	David J. Howard
Leroy Bonta	Harry Dill	Joe Huddleston
W. P. Bowman	H. L. Dixon	A. R. Hudson
J. L. Bradford	W. G. Dycus	Chas. L. Hunter
R. J. Cain	I. H. Gabbard	J. W. Johnson
T. L. Caudel	Lark Garnett	W. H. Jones
H. C. Chappell	M. E. Gilbert	Griffin Kelly
Everett Cobb	W. H. Hager	W. F. Klair

S. D. Laughlin	A. J. Oliver	Claude M. Thomas
M. E. Lee	T. P. Oliver	Elmore Thomas
J. E. Lilly	W. F. Paris	John B. Thomas
Clarence Miller	Luther Pieratt	Geo. F. Thompson
Claude D. Minor	Ote Piper	J. T. Thornton
S. H. Moore	H. C. Rice	W. F. Trusty
John T. Murphy	Lewis Ryans	F. C. VanHoose
A. J. McCandless	Avery Sartin	Geo. C. Waggoner
H. C. McGehee	R. T. Smith	T. R. Welch
S. Lee McGohan	Thomas Spurrier	E. G. Young
H. C. McLellen	Ben Street	
W. B. O'Bannon	John W. Swope	—67

On motion of Mr. Davis the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

Mr. Claude M Thomas moved that the rules be suspended and that Senate Bill No. 233, which is now in the hands of the Committee on Criminal Law, be called from said committee, given its first reading and advanced to the calendar.

Mr. Klair moved the previous question.

The Speaker stated: Shall the main question be now put?

Said question was decided in the affirmative.

Mr. Murphy moved that the special order set for this hour be postponed until the matter under consideration is disposed of.

Said motion was agreed to.

The question being taken on the motion made by Mr. Claude M. Thomas, and the yeas and nays being demanded thereon by Messrs. Murphy and Meyers were as follows, viz.:

Those who voted in the affirmative were—

W. T. Beckham	Griffin Kelly	Richard Radcliffe
Leroy Bonta	H. A. Knollman	H. C. Rice
R. J. Cain	S. D. Laughlin	John W. Swope
Everett Cobb	Clarence Miller	Claude M. Thomas
Lark Garnett	S. H. Moore	John B. Thomas
M. E. Gilbert	John T. Murphy	S. G. Thornberry
L. B. Hamilton	Ryland C. Musick	Geo. C. Waggoner
David J. Howard	A. J. McCandless	E. G. Young
Joe Huddleston	W. P. McDonogh	
Leslie P. Jones	Luther Pieratt	—28

Those who voted in the negative were—

Ed. L. Allen	A. A. Demunbrun	S. Lee McGohan
Chas. Ashby	Harry Dill	H. C. McLellen
B. S. Bailey	W. G. Dycus	W. B. O'Bannon
L. D. Baldauf	J. M. Elliston	A. J. Oliver
J. H. Ballard	L. L. Embry	T. P. Oliver
A. L. Baldwin	I. H. Gabbard	W. F. Paris
Robert Bays	A. L. Hamilton	Lewis Ryans
H. V. Bell	E. C. Hardin	Joe Schneider
W. P. Bowman	Chas. L. Hunter	R. T. Smith
J. L. Bradford	J. W. Johnson	Thomas Spurrier
O. V. Brown	W. H. Jones	Elmore Thomas
T. L Caudel	W. F. Klair	Geo. F. Thompson
H. C. Chappell	W. T. Lasley	W. F. Trusty
A. S. Cooper	M. E. Lee	T. R. Welch
Fred Cornelius	J. E. Lilly	W. N. Winn
James S. Cruse	Harry J. Meyers	
J. C. Davis	H. C. McGehee	—49

And so said motion was disagreed to.

Mr. Meyers moved that the vote by which Senate Bill No. 233 was refused to be taken from the Committee on Criminal Law be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House then took up for consideration the special order set for this hour, namely, eleven o'clock a. m., a bill entitled:

H. B. 248. An act to amend and extend chapter 71 of the General Assembly of the Commonwealth of Kentucky, approved March 21, 1902, entitled an act providing for the establishment and maintenance of free public libraries in cities of the first class, which is also section 2801b, subsection 3 of Kentucky Statutes, edition of anno domini one thousand nine hundred and fifteen (A. D. 1915) edited by the Honorable John D. Carroll, and to authorize free public libraries of cities of the first class to mortgage property or to issue bonds thereon, and to authorize cities of the first class to guarantee the payment of any bonds issued by the said free public libraries either the principal or interest or both.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That chapter seventy-one (71) of the Acts of the General Assembly of the Commonwealth of Kentucky, of the session of A. D. 1902, being also section 2801b, subsection 3, Carroll's edition, Kentucky Statutes, be amended by adding thereto the following:

"The board of trustees of the free public library of any city of the first class is hereby given authority to mortgage any or all real property or personal property owned by such library to secure any indebtedness due from the said corporation.

"The said mortgage, however, not to exceed the sum of three hundred and twenty-five thousand dollars ($325,000.00)

So said section, as amended, shall read as follows:

Sec. 3. The mayor of any such city, shall, as soon as practicable after the passage of this ordinance, name twelve trustees, three for a term of one year, three for a term of two years, three for a term of three years, and three for a term of four years, and shall thereafter, in the month of each succeeding year corresponding to the month in which the first appointments are made, in the same manner nominate three trustees for a term of years. No person shall be eligible to the office of trustee who is not at the time of his selection a taxpayer and a qualified voter in the city and has not resided therein for two years prior to his selection, and no salary or other compensation shall be paid to or received by such trustee for the performance of the duties of his office. The said twelve trustees, together with the mayor of the city, who shall be a trustee by virtue of his office, shall constitute and be styled the board of trustees of the free public library, and by said title shall be a corporation with power to make such rules and regulations to govern itself, and for the control, management and use of the property entrusted to its care as it may be deemed proper, not, however, in conflict with this act, or with the Constitution or laws of this State or of the United States, with power to contract and be contracted with, sue and be sued, to defend and be defended in all courts, to acquire by gift, purchase or otherwise, and to hold real and personal property to the use of the public library, for the purpose and intent for which the same may be granted or dedicated; to use, manage and improve, sell and convey, rent or lease property; to erect suitable building or buildings; to have a common seal and change it at pleasure, and to act with or without a seal. Vacancies in the office of trustee shall be reported by the board to the mayor, and shall be filled in like manner as the original appointments. The said trustees shall, before entering upon the duties of their offices, make oath or

affirmation before some judicial officer of this Commonwealth to discharge the duties enjoined on them.

The board of trustees of the free public library of any city of the first class is hereby given authority to mortgage any or all real property or personal property owned by such library to secure any indebtedness due from the said corporation.

The said mortgage, however, not to exceed the sum of three hundred and twenty-five thousand dollars ($325,000.00).

And that said act be further amended by adding thereto the following section:

§ 11. The said board of trustees may, in their discretion, and if they deem it necessary, issue bonds in the sum of not exceeding three hundred and twenty-five thousand ($325,000.00) dollars for the purpose of paying off any indebtedness that the corporation may owe. The said bonds may be secured by any or all real property or personal property owned by said corporation. The bonds so issued shall be designated as "Library Bonds," and the board of trustees shall, by an appropriate resolution, fix the date and maturity of such bonds, the rate of interest they shall bear, and the form they shall bear, where they shall be payable. The said board shall determine when and at what price and how they shall be sold. Provided, that any premium which may be obtained from the sale of said bonds shall constitute a sinking fund for their ultimate retirement. As the bonds are sold, their proceeds shall be placed to the credit of the said corporation in some bank or banking institution or trust company, but shall be kept in a separate account, and shall be used only for the purpose for which the bonds were issued. The interest on the bonds shall be paid by the said corporation from the rent or income it may receive from any real property belonging to it.

§ 12. Any city of the first class having a free public library organized according to the provisions of the said chapter seventy-one (71) of the Acts of the General Assembly of the Commonwealth of Kentucky of 1902 (which is now section 2801b of the Kentucky Statutes) may by an ordinance provide that the said bonds, principal or interest or both, may be guaranteed by the city.

When the said ordinance is enacted by the said city the said bonds shall be endorsed "Guaranteed" and the name of the city guaranteeing attached, and said guarantee shall be signed by the mayor of the city, and attested by the comptroller of the city and stamped with the proper seal of the said city of the first class.

§ 13. Because it is important that the board of trustees of free public libraries of cities of the first class shall have authority to borrow money secured by mortgage or mortgages or to issue bonds for the purpose of paying any indebtedness the corporation may owe, an emergency is hereby declared to exist and this act shall become a law when approved by the Governor.

§ 14. All acts in conflict with this act are hereby repealed.

§ 15. This act is intended to be perfectly distinct and separable. If any part of the same is declared unconstitutional, the remaining portion or portions of the same shall be complete in itself or themselves, and executed in accordance with the remaining part or parts, wholly independent of that portion or portions rejected as being unconstitutional.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	A. L. Hamilton	W. B. O'Bannon
J. H. Ballard	L. B. Hamilton	A. J. Oliver
A. L. Baldwin	E. C. Hardin	W. F. Paris
W. T. Beckham	Chas. L. Hunter	Lilburn Phelps
B. C. Beckmann	J. W. Johnson	Luther Pieratt
H. V. Bell	W. H. Jones	Ote Piper
Leroy Bonta	Griffin Kelly	Lewis Ryans
W. P. Bowman	W. F. Klair	Avery Sartin
J. L. Bradford	H. A. Knollmann	Joe Schneider
O. V. Brown	W. T. Lasley	R. T. Smith
R. J. Cain	S. D. Laughlin	Thomas Spurrier
T. L. Caudel	M. E. Lee	Claude M. Thomas
H. C. Chappell	J. E. Lilly	Elmore Thomas
A. S. Cooper	Clarence Miller	John B. Thomas
Fred Cornelius	Claude D. Minor	Geo. F. Thompson
A. A. Demunbrun	S. H. Moore	J. T. Thornton
Harry Dill	Ryland C. Musick	S. G. Thornberry
H. L. Dixon	A. J. McCandless	W. F. Trusty
W. G. Dycus	W. P. McDonogh	T. R. Welch
J. M. Elliston	H. C. McGehee	E. G. Young
L. L. Embry	S. Lee McGohan	
I. H. Gabbard	H. C. McLellen	—64

There voted in the negative—

John T. Murphy —1

Resolved, that the title thereof be as aforesaid.

The House then took up for consideration the special order which was set for consideration immediately following House Bill No. 248, namely, a bill entitled:

H. B. 251. An act authorizing the fiscal court of counties containing a population of over two hundred thousand, wherein there is located a city of the first class to contract with the board of trustees of the free public library of any such city for the purpose of granting to the residents and schools of such county the same privileges afforded by such library to residents and schools of said city and for the purpose of enabling the said fiscal court to appropriate a sum of money annually for the maintenance and support of such library payable out of the county levy funds in its hands.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the fiscal court of counties containing a population of over two hundred thousand (200,000) and wherein there is located a city of the first class, may in its discretion, contract with the board of trustees of the free public library of any such city for the purpose of granting to the residents and schools of such county the same privileges afforded by such library to residents and schools in the said city and the said fiscal court is hereby authorized to make such contracts. The fiscal court may appropriate annually a certain sum of money to the maintenance and support of such library to be payable out of the county levy funds in its hands.

§ 2. The sums mentioned in section 1 of this act when appropriated by the said fiscal court shall be expended by the board of trustees of the free public library, if the latter deems it expedient in the establishment of branch stations in various parts of the county outside of the corporate limits of the said cities of the first class, according to such rules and regulations as the said board may deem best.

§ 3. The law or statutes in conflict with this act are hereby repealed.

§ 4. Whereas it is important to the residents of such counties that they have the library facilities mentioned herein at an early a date as possible, therefore an emergency is declared to exist and this act shall take effect from and after its approval by the Governor.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey
J. H. Ballard
A. L. Baldwin
W. T. Beckham
B. C. Beckmann
H. V. Bell
Leroy Bonta
W. P. Bowman
J. L. Bradford
O. V. Brown
R. J. Cain
T. L. Caudel
John Cook
A. S. Cooper
James S. Cruse
A. A. Demunbrun
H. L. Dixon
I. H. Gabbard
M. E. Gilbert
W. H. Hager
A. L. Hamilton
L. B. Hamilton
E. C. Hardin
Chas. L. Hunter
J. W. Johnson
Leslie P. Jones
Griffin Kelly
W. F. Klair
H. A Knollmann
W. T. Lasley
S. D. Laughlin
M. E. Lee
J. E. Lilly
Clarence Miller
Claude D. Minor
S. H. Moore
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
S. Lee McGohan
W. B. O'Bannon
W. F. Paris
Lilburn Phelps
Luther Pieratt
Ote Piper
H. C. Rice
Lewis Ryans
Avery Sartin
R. T. Smith
Thomas Spurrier
Ben Street
John W. Swope
Claude M. Thomas
Elmore Thomas
John B. Thomas
Geo. F. Thompson
J. T. Thornton
S. G. Thornberry
G. Frank Walthal
T. R. Welch
E. G. Young

—61

Resolved, that the title thereof be as aforesaid.

Mr. Kelly moved that the rules be suspended and that House Bills No. 198 and No. 359, be taken from the orders of the day and placed upon their passage in the order named.

Said motion was agreed to.

Thereupon the House took up for consideration from the orders of the day a bill entitled:

H. B. 198. An act relating to the drainage of lands, establishment and construction of public ditches and drains and the straightening, widening, deepening or otherwise improving public ditches, drains creeks or non-navigable streams, prescribing the method of procedure, the assessment and collection of costs and expenses thereof, creating ditch commissioner and prescribing his duties and compensation and providing for the payment thereof and employes having duties to perform hereunder and providing penalties.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Ditch or Drain May Be Constructed or Altered.—That the county judge of any county shall have power at any regular session of the county court when the same shall be conducive to the public health, convenience, or welfare, or when the same will be of public benefit or utility to the people in whose vicinity any drain or ditch is located, to cause to be constructed or cleaned out, drained or widened, or deepened, or otherwise improved, or all, as hereinafter provided, any such ditch or drain, with or without arms, or branches, or forks, or tributaries within said county.

§ 2. Petition—Procedure.—Before the county judge shall establish any such ditch, drain or water course, there

shall be filed with the county clerk of such county a petition, signed by one or more of the landowners whose land will be liable to be affected by or assessed for the expense of construction of the same, setting forth the necessity therefor, with a general description of the proposed starting point, route and terminus, and of any tributary thereto; and shall give a bond, with good and sufficient freehold sureties, payable to the State, to be approved by the clerk, conditional to pay all expenses in case the county judge shall fail to establish said proposed ditch, drain or water course. As soon as said petition is filed, said judge shall, if in regular session, or at his next regular session, appoint three resident freeholders and house holders of the county not interested in the construction of the proposed work, and not of kin to any of the parties interested therein, as viewers to meet at a time and place specified by said court preparatory to commencing their duties as hereinafter specified; and it shall be the duty of the clerk thereupon to issue to said viewers a certified copy of the petition and order of the court, who shall proceed, at the time set in said order, with a surveyor, who shall be a civil engineer, and shall make an accurate survey of the line of said ditch, drain or water course, from its source to its outlet; and they shall cause stakes or monuments to be set along said line, numbered progressively down stream at each one hundred feet; and they shall make computation of the total number of cubic yards of earth to be excavated and removed from said ditch, drain or water course, an estimate of the total cost of the construction of the whole work, and they shall set apart and apportion to each parcel of land, and to each corporate road or railroad and the county where public highways are benefited a share of said work in proportion to the benefits which will result to each from such improvement; and give the location of each share, its length in feet, and the estimated number of cubic yards of earth to be removed therefrom, and the price per cubic yard and the cost of construction, each share or allottment, separately,

and specify the manner in which the work shall be done; and they shall have power, where they find it necessary, to provide for running said ditch underground, through drain-tile or other materials, as they may deem best, by specifying the size and kind of tile or other material to be used in such underground work and shall estimate the cost of the same as a part of the total cost of the work; and they shall accurately describe each parcel of land, corporation, public highway or railroad to be assessed for the construction of said ditch, giving the number of acres in each tract assessed, and the estimated number of acres benefited, the amount each tract of land, corporation, railroad or public highway will be benefited by the construction of said work, and the amount that each tract, corporation, railroad or public highway is assessed therefor; and they shall in tabular form, give the depth of cut, width at bottom, and width at top, at the source, outlet, and at each one hundred foot stake or monument of said ditch, drain or water course, and a description of bench marks and elevations taken therefrom; and they shall also ascertain and give the names of the owners and tenants, if any, of the lands that are assessed for the construction of said ditch, drain or water course, and through which same is to be constructed, and whether any such persons are non-residents of the State, infants, of unsound mind, or married women, and to report whether said lands are owned in fee or for life, with remainder to another or others; and wherever lands are owned for life by one person, or persons, and the remainder by another, or others, to assess and report the pro rata portion of the assessment against said land that shall be paid by the life tenant and remainderman, respectively, ascertaining this by apportioning against each interest that portion of the whole assessment against said land as the values of the respective estates bear to the value of the lands assessed; and also whether or not the proposed ditch, drain or water course will be of public utility.

§ 3. Deduction for Work Done.—Whenever a public ditch, drain or water course is located wholly or in part in the bed of a private ditch already or partially constructed, the viewers shall make an estimate of the number of cubic yards already excavated and cost of the same, on each tract of land and deduct the same from the assessment thereon.

§ 4. Assessments of Lands Benefited—Duty of Viewers.—All lands benefited by a public drain, ditch or water-course shall be assessed in proportion to the benefits for the construction thereof, whether it passes through said lands or not, and the viewers, in estimating the benefits to land not traversed by said ditch, shall not consider what benefits such lands will receive after some other public ditch or ditches shall be constructed, but only the benefits that will be received by reason of the construction of the public ditch, as it affords an outlet for the drainage of such lands.

§ 5. Location of Ditch, Drain or Water Course—Discretion of Viewers.—In locating a public ditch, drain or water course, the viewers may vary from the line described in the petition, as they deem best; provided, they commence the ditch at a point described in the petition and follow down a line therein described as nearly as practicable; and provided further, that when there is not sufficient fall in the length of the route described in the petition to drain the lands adjacent thereto, they may extend the ditch below the outlet named in the petition far enough to obtain a sufficient fall and outlet. And when it will not be detrimental to the usefulness of the whole work, they shall, as far as practicable, locate the ditch on the division lines between lands owned by different persons, and they shall, as far as practicable, avoid laying the same diagonally across the lands but they must not sacrifice the general utility of the ditch to avoid diagonal lines. And all persons whose lands may be affected by said ditch may appear before said viewers and freely express their opinion on all matters pertaining thereto.

§ 6. Damages Estimated by Viewers—Assessment of.—In locating a public ditch, drain or water course, the viewers shall estimate the damages, if any, that any person or persons will sustain by reason of the construction of such ditch, and assess such damages to the parties owning the lands benefited in proportion as each tract of land is assessed for benefits.

§ 7. Route and Location—Discretion of Viewers.—The viewers if they find the route proposed is not such as best to effect the object sought, or that the proposed drainage can be effected as well in connection with a ditch necessary for the improvement of public highways already established, or such as may be thereafter required, shall proceed to establish the route. If the route proposed is upon a line where a public road may be required, and in all cases in which the route proposed is along highways already established, the viewers shall locate the ditch at a sufficient distance from the center of such highways to admit of a good road along such central line; the earth taken from such ditch shall be so placed and leveled upon the roadway as to form a turnpike, and no part of the earth excavated from a public ditch shall be placed nearer to the margin thereof than six feet. But in locating a drain as above, the viewers shall not materially depart from the terminal point described in said petition.

§ 8. Viewers—Meeting and Report of.—The said viewers may, after having met at the time and place specified in the order issued to them by the clerk, proceed immediately to perform their said duties, or adjourn from time to time as best suits their convenience, and file their report with the clerk at least ten days before the next regular term of said county court; provided, the water be high or the weather inclement, they shall not be compelled or required to file their report until at least ten days before the second regular county court after having received their order from the clerk, but their report must indicate the reason for such postponement. And if the viewers find that the proposed ditch, drain

or water course not of public benefit or utility, they may report against the location of same; in which case their report need only state that they find the proposed work not to be of public benefit or utility.

§ 9. Notice to Persons Affected to be Given—Statement In.—Upon the report of the viewers being filed, unless proceedings shall be dismissed, the court shall issue process against the owners of the lands through which said ditch, drain or water course, arms, branches, forks or tributaries are to be located, and of the land to be assessed, as shown by said report, to show cause why said report shall not be confirmed, and shall make such orders as to non-residents and persons under disability as are required by the Civil Code of Practice in action against them in the circuit court. The proceedings shall stand for exceptions at the first term after said process shall have been executed upon all the parties as required by said Code, twenty days before the first day of any regular term of court, and shall stand for trial, upon the exceptions or remonstrances, at the next regular term after the said remonstrances or exceptions have been filed or should have been filed.

§ 10. Hearing of Applications by Court—Power of Court.—Said county court, when all parties are before the court as provided in section 9, shall, if there be no remonstrances or exceptions, proceed to hear said petition; and if the viewers' report is made in accordance with the provisions of this act, and it be in favor of the proposed work, and the court finds the proposed drain to be of public utility or conducive to public health, or of public benefit or convenience, it shall establish the same as specified in the report against the proposed work, the court shall dismiss the petition and tax the cost as hereinafter provided. And when damages are awarded to any person or persons or corporation, as provided by this act, the court shall order the same to be assessed and paid by the party or parties benefited by the proposed work.

to the person, persons or corporations entitled thereto, before the construction of said ditch. The order aking said assessment shall direct when it shall be paid and if not paid by the time fixed, the county clerk shall place said assessment on the county tax books and certify same to the sheriff and there shall be added thereto a penalty of six per cent, all of which shall be collected by the sheriff, without delay, as other taxes and paid over to the persons entitled thereto—sheriff retaining penalty for his commission.

§ 11. Exceptions—Remonstrances.—Any person or persons interested in the location of said proposed ditch may file exceptions or remonstrances against said ditch by setting forth his grievance therein, and any person deeming his assessment too high, or the damage allowed him too low, may except or remonstrate for such reason against the action of the viewers. Thereupon the court shall set the said exceptions or remonstrances for hearing, not later than ten days thereafter, and on said date, unless a further continuance is granted, proceed to hear the said exceptions or remonstrances and take such orders in regard thereto as in its opinion it may think just and proper and upon the trial of said exceptions and remonstrances the said county court shall enter such orders as may be necessary for the establishment of said ditch as described in the report of the viewers as sustained, corrected or changed by the orders of the court.

§ 12. Collection of Assessments.—Whenever the court establishes the public ditch or drain the clerk shall certify to the sheriff the estimate of amount set apart and apportioned to each parcel of land, to each corporate road, or railroad, or county whose highways are benefited, where such assessment shall not exceed twenty-five cents per acre, together with the cost of said petition and all other necessary and proper expenses incurred in the establishing of said ditch, which certificate shall be approved by the county judge. When this shall come to the hands of the sheriff it shall become his

duty to notify each party against whose land assessments are made that same are in his hands for collection and that unless same are paid within 120 days that a penalty of six per centum of the sum assessed shall be added to said assessment; and such penalty shall be added and become part of the ditch fund for the keeping and maintenance of said ditches after the costs of collecting same are paid. If said assessments are not paid to the sheriff as before set out, or before 120 days after his receipt of said assessments, then he shall collect same as other revenue and taxes, at the same time and in the same manner as provided by the laws of the state of Kentucky for their collection, together with the penalty of six per centum as hereinbefore provided. The sheriff shall keep a separate book showing in full the amount of assessment made in each ditch which came to his hands, and showing the amount due from each party as well as the amount of land assessed therefor, and showing the amount collected by him, and at each term of the county court, after the receipt of said assessments, he shall make a written report to the said court of all amounts collected by him and any amounts yet due and uncollected, which shall be filed and certified to the county court clerk, recorded in the ditch book kept by said clerk, and upon approval of said report by the county judge, he shall pay over to the ditch commissioner or to whom such money may be due, upon the order of the county judge any and all money that may be in his hands, specifying in each instance against what ditch said collections are made, and shall take receipt therefor, which he shall file with his next report. The sheriff shall be paid for the collection of said assessments, costs, etc., six per centum upon all amounts collected by him.

When said assessment shall exceed twenty-five cents per acre, the same shall be paid to the county ditch commissioner and the assessment allotted to each section or tract shall be due and payable as soon as that section is received by county surveyor as provided in this act, and at the end of sixty days

after the completion of any section of said ditch, the said ditch commissioner shall report to the county judge whether such assessment has been paid, and the failure of any person so to pay shall be construed and deemed as his consenting to the issuing of drainage bonds, and in consideration of the right to pay his assessment in installments, he thereby waives his right to any defense against the collection of the assessment, because of any irregularity, illegality or defect in the proceedings prior to this time, except in case of appeal as hereinafter provided, which is not affected by this waiver. The term person as used in this act includes any firm, company or corporation.

§ 13. Drainage Bonds May Be Issued—Nature and Payment of.—After the expiration of said sixty days after the completion of said section and the report of non-payment of assessment is filed, as hereinbefore provided, on order of the county court, the ditch commissioner may issue bonds, to be countersigned by the county judge, for the full amount of each assessment so unpaid, together with the interest thereon, costs of collection, cost of issuing bonds and other expenses. These bonds shall bear six per cent interest per annum, payable annually, and shall be paid in ten equal installments. The first installment of the principal shall mature at the expiration of two years from the date of issue and one installment each year thereafter for nine additional years. The commissioner shall sell these bonds at not less than par and devote the proceeds to the payment of said assessments for which they were issued. The bonds issued shall be for the exclusive payment of such assessments and costs and so specified on their face and shall be numbered by the commissioner and registered in the drainage record, which record shall set out specifically the lands and names of the owners thereof embraced in the district and covered by such bonds on which the tax has not been paid in full, and which is assessed for the payment of the bonds issued and the interest thereon. This

assessment shall constitute the first and paramount lien, second only to state and county taxes upon the lands assessed for the payment of said bonds and the interest thereon, as they become due. The installment due from each tract of land assessed for the payment of such bonds shall be paid by the owner or owners thereof to the holder.

If any installment of principal or interest represented by said bonds shall not be paid at the time and in the manner when the same shall become due and payable and such default shall continue for a period of six months, the holder or holders of such bond or bonds upon which default has been made, may declare said bonds due and payable and the right of action is hereby vested in the holder or holders of such bonds upon which default has been made, authorizing them to institute suit against said lands so covered by the assessment, for which said bonds were issued and enforce the lien against said land for the payment thereof, the same as in the case of a mortgage.

§ 14. Appeal—Time in Which Must Be Taken—Effect of Bond for Costs.—Any person or corporation aggrieved thereby may pray and shall be granted in the order or judgment, an appeal from any final order or judgment of the court made in the proceedings and entered upon the record, determining either of the following matters:

First. Whether said ditch will be conducive to the public health, convenience or welfare.

Second. Whether the route thereof be practicable.

Third. Whether the assessments made for the construction of the ditch are in proportion to the benefits to be derived therefrom.

Fourth. The amount of damages allowed to any person or persons or corporation. And the applicant shall file with the circuit court clerk an appeal bond, with at least two freehold sureties, to be approved by the circuit court clerk, conditioned that he will duly prosecute such appeal and pay all

costs that may be adjudged against him in the circuit court; provided, that such appeal bond shall be filed within ten days after such final order or judgment of the county court is made, and after the lapse of such ten days no appeal can be taken. And if an appeal be taken no further action shall be taken in the county court until adjudged by circuit court as hereinafter provided and the clerk shall, within twenty days after the appeal bond is filed, make a transcript of the proceeding had before the county court and certify the same, and transmit it, together with all the papers filed in his office pertaining to such proposed work, to the clerk of the circuit court.

§ 15. Trial of Appeal—County Court to Obey Judgment of Circuit Court—Costs.—The clerk of the circuit court shall docket said appeal, styling the appellant the plaintiff and the petitioner or petitioners the defendant; and if the appellant is the only petitioner, then it shall be docketed as an ex parte proceeding, and said case shall stand for trial de novo as all other appeal cases and shall be tried as other appeal cases are tried in the circuit court, provided, however, no summons need issue on the appeal. After the trial and judgment in the circuit court the clerk of the circuit court shall retransmit all the original papers in said appeal and proceedings filed in the county clerk's office, to the clerk of the county court, together with the transcript of the proceedings had in the circuit court, including a certified copy of the findings, verdict and judgment of the court. The county court, at its next regular or special session, shall proceed with said petition in accordance with the judgment of the circuit court; the clerk of the circuit court shall also certify an itemized statement of the costs accrued in the circuit court, and such costs and damages shall be paid as herein provided in section 14.

§ 16. Construction of Work—Letting Contracts—Bond of Contractor.—After the transcript of the proceedings had in the circuit court and all other papers in the case are re-

turned to the county clerk's office the county judge shall cause such entry to be made on the records as may be necessary to give effect to the judgment of the circuit court, within fifteen days from the order of said circuit court, or if there be no appeal within twenty days from the establishment of said ditch or drain, the ditch commissioner shall let out contracts for the work in accordance with the report of the viewers to the lowest and best bidder, at such a price not to exceed the estimated cost as set out in the viewers' report. He shall have the power to allot all or any portion of said work to a contractor, but before doing same he shall take from said contractor a contractor's bond, with two freehold securities or bonding company, payable to the Commonwealth of Kentucky, to be approved by the county judge, conditioned that he will perform his contract and pay all damages which may accrue to any person or persons, by reason of his failure to complete the job within the time required in the contract thereof. Before allotting said contract or contracts the commissioner shall cause to be published in some paper in the county, in which the said drain, ditch or water course is proposed to be established, an advertisement that he will, on some certain day, at the court house, in said county, receive bids for the work upon said ditch, which notice shall be published for two successive weeks before letting of said contract, and shall also post a copy of said notice at the court house door, and in three public places in the vicinity of said ditch or drain. Any contract not completed within the time fixed in the contract and bond, shall be relet by the said commissioner to the lowest responsible bidder, who shall give a like bond as the original bidder, and the person and his security, to whom the contract was first let shall be liable for the additional cost and expenses which may be incurred by his failure to complete the work as required by his contract.

§ 17. Completion and Inspection of Work—Certificate of—Collection of Assessment—Lien for.—It shall be the duty

of the county surveyor on being notified by any landowner that his allottment, or by any contractor that his job, is completed, to inspect the same; and if he finds that it is completed according to the specifications of the report on which the ditch was established, he shall accept it and give to the landowner, or, in case the job has been sold, to the contractor, a certificate of acceptance stating that said allottment or job is completed according to such specifications. And if any share or allotment has been sold to a person, not the owner of the land assessed therefor, he shall, in addition, state the amount due to the contractor for constructing the same from the owner, of the land, which certificate shall be a lien on the land assessed for such share or allotment and shall be due and payable as provided in this act. And when the county surveyor or engineer, heretofore provided, accepts it and issues his certificate of acceptance, he shall file with the county clerk a copy thereof.

As soon as the certificate of acceptance of any ditch is filed in the county clerk's office, as provided in section 16 of this act, the clerk of the county court shall deliver to the ditch commissioner a certified copy thereof and thereupon the ditch commissioner shall have notice of the completion of said ditch and when the assessments thereon will be due under this act published in some paper issued at the county seat of said county and, if no such be issued, by a printed or written notice posted at the court house door in said county.

§ 18. It shall be the duty of the engineer under whose direction any ditch is constructed under this act, after the completion of said ditch, to furnish to the commissioner of ditches hereinafter referred to a complete plat of the ditch so constructed and showing the lands through which said ditch may traverse and the names of the owners thereof.

§ 19. Each ditch constructed under this act, or may have heretofore been constructed under any act, shall constitute a drainage section and be kept separate and distinct from each

other and all assessments and expenses of each shall be kept separate and distinct from that of other ditches and the order establishing it shall designate it by some name so as to distinguish it from any other.

§ 20. Commissioner of Ditches—Appointment—Salary—Duties—Bonds.—The county judge of the county in which any ditch shall be established or shall have been established shall appoint a commissioner to be known as county ditch commissioner, who shall hold his office for a period of two years, unless removed by said judge for cause. The said commissioner's duties shall be such as are prescribed by this act and such other duties as may be imposed upon him by the fiscal court of the said county in connection with the system of ditches in said county. The commissioner shall receive for his services an annual salary to be fixed by the fiscal court of said county, to be paid in quarterly installments and all lands assessed for the construction of public ditches in said county shall contribute in proportion to their original assessment to provide a fund for the payment of commissioner's salary. Such assessment to be made by order of the county court to be payable in two installments—one-half on July 1st and the other half on December 31st, and such assessment shall be paid to the said commissioner. Any assessment so made and not paid within sixty days after due shall be placed in the hands of the sheriff by the said ditch commissioner and collected as other taxes are collected, and when so collected shall be turned over to the ditch commissioner. If collected by sheriff a penalty of six per cent. shall be added to such assessment and collected by the sheriff.

§ 21. The ditch commissioner shall execute a bond to the Commonwealth of Kentucky with good security to be approved by the county judge for the faithful performance of his duty and the payment over of any money to the proper person that may come to his hands as such ditch commissioner in the penal sum of three thousand dollars. He shall deposit all moneys received by him to his credit as such ditch

commissioner, in some bank, to be designated by an order of the county court, and shall pay out said money only upon the order of the county judge. The said commissioner shall report in writing to the county court each month all receipts and expenditures made by him and the condition of all ditches in his county under his control, and each report shall be certified by the county judge to the fiscal court at its next regular meeting. The said commissioner shall be required to keep the public ditches in his county open and free from drift and obstructions of all kinds, the said ditches, including three feet on top of banks, to be mowed close to the ground and the bottom and sides of the banks for four feet up to be scraped with hoe so as to remove all grass, weeds and sprouts, and all things so cut to be removed from ditch and burned, and for this purpose he shall, on the first day of August of each year at public outcry at the court house door in said county, about the hour of 1:30 p. m., receive bids for the cleaning out of such ditches and accept the best bid therefor and enter into contract with the successful bidder for the cleaning of said ditch, bond with good security to be approved by the commissioner for the prompt and faithful execution of said contract to be given by the successful bidder, and the contract so made and bonds so taken by him reported to and filed with the county judge. Should the said contractor not complete his contract for the cleaning of any ditch by Novmeber 1st, it shall be the duty of said ditch commissioner to have the said ditch cleaned, and the costs thereof paid out of the assessment made for that purpose, and, should the expense be in excess of the bid of the contractor, the contractor and his bondsmen shall be liable for the excess. All money required to be expended on any ditch under this section of this act shall be set apart to that ditch and apportioned and assessed against each parcel of land or other property originally assessed for the construction of said ditch in proportion to the original assessment for the construction thereof. Said assessments shall be made by

order of county court, and as soon as made, shall be payable to the county ditch commissioner and if not paid in thirty days therafter, the clerk of the county court shall certify all unpaid assessments to the sheriff of the county, and the same shall be collectible by him as other taxes and a penalty of six per cent added thereon and the same shall be a lien on such lands and subordinate only to lien for county and State taxes.

The sheriff shall receive as his commission six per cent on all assessments collected by him and pay the excess, as collected, to the county ditch commissioner.

Should any assessment under this section not be paid in six months after assessed, the same shall be collectible by legal proceedings as are other taxes, and it shall be the duty of the county attorney to institute legal proceedings for the collection thereof, and for his services in such proceedings shall receive ten per cent on all amounts so collected.

§ 22. It shall be unlawful for any one to place any obstruction of any kind in any public ditch, and any one so offending and failing to remove such obstruction within ten days after notice from the county ditch commissioner to remove same, shall be liable to a fine of $5.00 for each offense and a penalty of $1.00 per day for each day that the said obstruction shall be permitted to remain in said ditch after conviction of said offense, said offender to be proceeded against by warrant issued by county judge on affidavit of county ditch commissioner, and county judge shall have jurisdiction to try all such cases and enforce the judgment therein as in other criminal proceedings in this Commonwealth. All fines collected under this section shall be for the benefit of that ditch fund and paid to ditch commissioner.

§ 23. The county ditch commissioner shall keep in his office a plat or map of each public ditch in his county. Any expense incurred for this purpose to be paid out of the ditch funds, for which said expense is incurred.

§ 24. Record of Ditch Improvements to be Kept.—The clerk shall make a complete record of all orders and judgments in proceedings under this act, in a book to be provided for that purpose at the expense of the county.

§ 25. Commissioner To Keep Accounts.—The commissioner of ditches of each county shall provide a suitable book at the expense of the ditch fund, in which to keep such ditch accounts and shall open therein an account with each public ditch or drain in his county in the name in which the same is generally known, and he shall charge all assessments and credit all payments made in each case. The money collected shall constitute a separate and special fund, and shall be paid out by the commissioner upon the order of the county judge to the person entitled to the same by the provisions of this act.

§ 26. Ditch in Two or More Counties—Jurisdiction of Courts.—Where a ditch is petitioned for which will require a location in more than one county, application shall be made to the county court of each of said counties, and one viewer selected by each of said courts, and an engineer selected by the court of the county having the greatest length of said ditch, who shall make duplicate reports, filing one in each county; applications for damage shall be made and objections to assessments shall be made in the county, and appeals from the findings shall be taken to the circuit court of the county in which the greatest length of such ditch is located.

§ 27. Surveyor and Engineer to Give Bond—Action On.—The county court shall require the surveyor and engineer appointed by him, under the provisions of this act, in each case to enter into a good and sufficient bond, with surety, to be approved by him, conditioned for the faithful performance of his duty, in the sum of one thousand dollars; an action may be brought on said bond by any person aggrieved by the failure of such engineer or surveyor to do his duty, in the name of the State of Kentucky, for the use of such person.

§ 28. Penalty for Officer's Neglect of Duty.—If an engineer or county judge, county clerk, circuit clerk, or viewer, neglect or refuse to perform any duty imposed by the provisions of this act, he shall forfeit and pay a fine of twenty-five dollars for every such refusal, to be recovered in the name of the State for the benefit of the proposed ditch fund at the suit of any person aggrieved.

§ 29. Railroad or Highway Benefited to Bear Portion of Expense.—When any ditch established under this act drains either whole or in part any public or corporate road or railroad, or benefits any such road, so as that the road-bed or traveled track of any such road will be made better by the construction of such ditch, the viewers shall apportion to the county, if a county, State or free turnpike road and to the company, road or railroad, such portion of the cost and expense thereof as to private individuals, and require them to pay said costs and perform said labor in like manner as individuals.

§ 30. Fees—Compensation—Expenses — How Paid. — The fees of the officers for services rendered under this act should be the same as fees now allowed by law for similar services in other cases. Such fees shall be taxed as part of the costs. There shall also be allowed by the court and taxed as costs reasonable fees to the attorneys for the petitioners in the proceedings to establish such improvements. All of the costs shall be paid on the order of court out of the drainage fund. The compensation to be paid to the engineer shall be fixed by the court at or before the time of his appointment by order entered of record. The viewers shall receive for their services the sum of $3.00 per day for the time actually engaged in performing their duties, unless a different sum is fixed by the court. The rodman, chain carriers and other laborers employed in the work shall receive not exceeding $2.00 per day for their services unless otherwise adjudged by the court, and any fees or compensation for any services not herein provided for shall be fixed by the court or judge.

All of such costs and expenses shall be paid by the petitioners, in the event said improvement is not established, for which they shall be liable on their bond. If any expenses shall have been paid by the petitioners, or deposits for that purpose shall have been made by them and the ditch shall be established, any amount so paid or deposited shall be refunded to them, without interest, out of the drainage fund.

§ 31. Fee—Out of What Fund.—All fees under this act shall be paid out of money realized from the collections of assessments.

§ 32. Clerk and Sheriff Responsible on Bond—The sheriff and county clerk shall be responsible on their official bond for all money that comes into their hands under this act.

§ 33. Discontinuance of Ditches.—If at any time, after the enactment of this act, a majority in number and amount of those assessed for the maintenance of any public ditch shall petition the county court for a discontinuance of said ditch as a public ditch, the judge shall docket the said petition upon the docket of his court which convenes not less than fifteen days after the filing thereof with him, and issue notices and cause same to be served upon all parties interested that, at the next term of his court, he will consider the said petition, and if no valid reason is shown against the discontinuance of said ditch, that he will enter an order adjudging the discontinuance thereof and the same, if, upon the hearing of said petition, no valid reason is shown against the discontinuance of said ditch, said judge shall enter an order discontinuing same and after said order of discontinuance is entered, shall cease to be a public ditch in this State, but an appeal may be had from the said order to the circuit court, as provided in the construction of ditches under the provisions of this act.

For the purpose of enabling the county judge to give notice to those interested, the petition seeking the discontinuance of said ditch should give the names of all persons interested in the maintenance of said ditch and owning lands bordering thereon.

§ 34. As there may be necessity for ditches to be dug and improved in this Commonwealth, an emergency is declared to exist and this act is to be in effect from its passage and approval by the Governor.

§ 35. All acts in conflict herewith are hereby repealed.

The Committee on Public Ditches and Fences offered the following amendments to said bill viz:

Amendment No. 1. Amend Section No. 2 of House Bill No. 198 as follows: By striking out the words "or more of the land owners" at the beginning of line three and ending at the beginning of line four, and insert in lieu thereof "third or more of the land owners or the owners of one-third or more of the land."

Amendment No. 2. Amend Section 20 of House Bill No. 198, by striking out the words "an annual" in line ten and inserting in lieu thereof the word "a," and by inserting in line ten between the word "salary" and the word "to" the words "not to exceed $5.00 per day, for each day actually engaged in the perforance of his duties," and further by striking out the word "quarterly" at the end of line ten and word "installments" at the beginning of line eleven and inserting in lieu thereof the words "monthly payments."

Amendment No. 3. Amend Section twenty-one of House Bill No. 198 by striking out all of line 16 and the word "hoe" at the beginning of line 17.

Mr. Kelly offered the following amendment to said bill and all pending amendments by way of substitute therefor, viz:

An act to amend Section 2380 of the Kentucky Statutes, Carroll's edition, 1915, and subsections 2, 7, 10, 31, 34 and 49 of said section, and to enact sub-section 49a of said section.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That sub-section 2 of section 2380 of the Kentucky Statutes be, and the same is, amended by striking out the words "one or more of the land owners" and inserting in lieu thereof the words "not less than twenty-five per cent of the land owners in the proposed district of the owners of not less than twenty-five per cent of the land affected in the proposed district as shown by the petition," so that said section, after being amended, shall read as follows:

"Before the county judge shall establish, widen, straighten, deepen or construct any such levee, ditch, drain, canal, creek or water course, there shall be filed with the county clerk of such county a petition signed by not less than twenty-five per cent. of the land owners or by the owners of not less than twenty-five per cent. of the lands in the proposed district embraced in said district as shown by the petition. In such petition shall be set forth the body of land, or district of land in the county and adjoining county, or counties, proposed to be ditched, drained or leveed, described in such a way as to convey a general idea as to the location of the land, and that the drainage or leveeing of same would result in public benefit or utility, or that the public health, convenience or welfare shall be promoted by the draining, ditching or leveeing of same, or by changing or improving the levee, ditch, drain, canal, creek or water course, if already in existence, in whole or in part, and also there shall be set forth, as far as practicable, the starting point, route, terminus, and lateral branches, if any, of the proposed improvement. Before any action is taken on said petition, the petitioners, or some one or more of them, shall execute a bond, with two or more individual sureties, or with some lawful surety or bonding company, to be approved by the county clerk in either event, to the Commonwealth of Kentucky, for the use and benefit of any party in interest, and in a sum not to exceed two hundred dollars per mile for each mile in length of the proposed improvement, con-

ditioned for the payment of all costs and expenses incurred, in case the court shall fail or refuse to grant the prayer of said petition. If, at any time during the proceeding, the court shall be satisfied the bond first executed is insufficient in amount, it may require the execution of additional bonds, and upon failure of the petitioners to execute same when required, the petition shall be dismissed. In said petition shall also be set forth the names of the owners of the lands, so far as known to the petitioners, whose lands are likely to be affected by the improvement. When said petition and bond shall have been filed with the county clerk, the county judge, whether at a regular term time or not, shall thereupon appoint a competent civil and drainage engineer and two resident freeholders of the county, and the two freeolders shall be persons not named in the petition as interested, and not related to any of the parties so named in the petition as interested, and not related to any of the parties so named, who shall constitute the Board of Viewers, to examine the lands named in the petition and to make a preliminary report. If the districts proposed to be drained or leveed is located in more than one county, such petition may be filed in either county, and the county judge of the county in which the petition is first filed shall have jurisdiction of the proceeding."

And that sub-section seven of said Section 2380 of the Kentucky Statutes be amended by striking out said subsection and enacting in lieu thereof the following:

"In all counties in this state where a public ditch, drain, levee or other improvement of similar character shall have been established under pre-existing laws or may hereafter be established under this act, it shall be the duty of the county judge to appoint a drainage commissioner of the county who shall have charge and control of all such public ditches, drains, levees and similar improvements in such county, except as otherwise provided. The person so appointed shall hold office for the term of four years, or until his successor is ap-

pointed and qualified, shall execute bond for the faithful performance of his duties in the penal sum of Five Thousand Dollars, and shall be sworn to faithfully perform the duties of his position to the best of his ability. Vacancy in said position shall be filled by the County Judge. Immediately upon his appointment and qualification, he shall become and is hereby created a body corporate under the name and style of "Drainage Commissioner of ———— county, Kentucky" (the blank to be filled with the name of the county), with the right to acquire, hold, encumber, sell and convey such real estate and personal property as shall be necessary to the conduct of his affairs as such drainage commissioner, to sue and be sued, contract and be contracted with, and shall possess such other powers and rights as usually pertain to corporations, or as may be necessary for carrying on his work under the provisions of this act; he shall have and use a corporate seal and may change same at pleasure. He shall appoint a secretary and fix his compensation, and if no such secretary is appointed, the county clerk of the county shall act as such and be ex-officio secretary thereof. The treasurer of the county shall be ex-officio treasurer of said commissioner. And where there is no treasurer in any county, then said Commissioner shall appoint a treasurer who shall execute bond in such sum as the Commissioner may require. Said Commissioner shall have an office at the county seat of his county and shall provide said secretary with desk, stationery, and record books as required, and said Commissioner shall on certain days to be designated by him attend his said office for the purpose of transacting such business as may come under his jurisdiction. He shall keep or cause to be kept complete records of his proceedings, which records shall be public records, and at all times open to the inspection of the public. Said Commissioner shall be paid as full compensation for his services not exceeding the sum of five dollars per day, while actually engaged in the performance of his duties, to be fixed by the order of the county court at the time of his

appointment, as well as all traveling expenses incurred in the performance of his duties under this act, to be paid out of the drainage funds herein provided for.

This amendment shall not affect the Boards of Drainage Commissioners now holding office, but shall take effect upon the expiration of the terms of office of the several boards of drainage commissioners now in existence.

The Commissioner provided for herein shall have all the authority and perform all the duties enjoined upon the Board of Commissioners by the act of which this is an amendment."

That sub-section ten of said Section 2380 be and it is hereby amended by adding to the end thereof the following words:

"and said report shall also contain a statement of the estimated benefits per acre that will accrue to each class of land by reason of the construction of the proposed improvement. If, in the opinion of the viewers, substantial justice cannot be done to the landowners by dividing said land into classes as above provided, they may estimate and report the benefits which they estimate will accrue to each tract of land by reason of the construction of the proposed improvement," so that said sub-section ten of Section 2380 of the Kentucky Statutes as amended and re-enacted shall read as follows:

"The said viewers shall meet on the day named in the notice or as soon thereafter as practicable and proceed with their work, for which purpose they will be furnished by the clerk with the duplicate plan of drainage adopted by the Drainage Commissioners. The viewers shall, as soon after their first meeting as possible, go over and inspect and examine the lands in said district, the railroad rights of way, roadbeds, bridges, culverts, depot grounds, grades, and all other railroad property in said district; and shall also inspect and examine all other improvements, highways and bridges belonging to any county or corporation and which may be affected by the proposed drainage, and shall also examine ditches, drains, ponds, lakes, creeks and water courses within

the district, or which may be partly within and partly without said district. A majority of said viewers shall control and decide all questions. The viewers shall classify the land in the district with reference to the benefit it will receive from the construction of the levee, ditch, drain or other improvement. In the case of drainage, the degree of wetness of the lands, its proximity to the ditch or a natural outlet and the fertility of the soil shall be considered in determining the amount of benefit it will receive by the construction of the ditch. The land benefited shall be separated in five classes. The land receiving the highest benefit shall be marked "Class A"; that receiving the next highest shall be marked "Class B"; that receiving the next highest will be marked "Class C;" that receiving the next highest benefit "Class D," and that receiving the smallest benefit "Class E." The holding of any one landowner need not necessarily be all in one class, but the number of acres in each class shall be ascertained though its boundary need not be separately marked on the ground or shown on the map. The total number of acres owned by one person or in each class and the total number of acres benefited shall be determined. The total number of acres in each class in the entire district shall be obtained and presented in tabulated form. The scale of assessment to be made by the board of drainage commissioners upon the several classes of land returned by the viewers shall be in the ratio of five, four, three, two and one; that is to say, as often as five mills per acre shall be assessed against the land in "Class A", four mills per acre shall be assessed against the land in "Class B", three mills per acre in "Class C", two mills per acre in "Class D", and one mill per acre in "Class E." This shall form the basis of the assessment of benefits to the lands for drainage purposes. Provided, however, that if by reason of existing conditions in any district, the viewers shall believe that substantial injustice will be done any landowner or landowners by strict conformity to the five class rule above, the classification may be so changed by diminishing or increasing the numbers of classes, as to conform to

such conditions, in which event such explanation shall be made by the viewers as will indicate to the board of drainage commissioners the ratio of assessment for such changed classification as compared with the classification herein provided for, and in calculating the assessment against any landowner, the said drainage commissioners shall follow the classification so made. The viewers shall keep an accurate account and report to the court the name and number of days each person was employed on the survey, and the kind of work done and any expenses that may have been incurred in going to and from the work, and the cost of any supplies or material that may have been used in making the survey. In case the work is delayed by high water, sickness or any other good cause, and the report is not completed at the time fixed by the court, the viewers shall appear before the court and state in writing the cause of such failure and ask for sufficient time in which to complete the work, and the court shall set another date by which the report shall be completed and filed. The viewers shall in no case change or modify the plan for drainage adopted as hereinbefore provided for. Said report shall contain a statement of the estimated cost of the works and improvements to be made in said district, and shall also contain a description of all the lands in said district, and the names of the owners thereof, and a general description of all the railroads, rights of way, roadbeds, and depot grounds, and the names of the corporation or corporations to which they belong at the date of the decree of the court organizing said district, and said report shall also contain a statement of the estimated benefits per acre that will accrue to each class of land by reason of the construction of the proposed improvement, and each tract of land shall be assessed according to benefits as shown by said report. If, in the opinion of the viewers, substantial justice cannot be done to the landowners by dividing said land into classes as above provided, they may estimate and report the benefits which they estimate will accrue to each tract of land by reason of the construction of the proposed improvement."

And that sub-section 31 of said Section 2380, Kentucky Statutes, be, and it is hereby, amended by striking out the last two sentences in said section, to-wit:

"This drainage tax roll shall be made in duplicate, signed by the chairman and secretary, and one copy filed with the drainage record and the other delivered to the County Treasurer; and said assessment shall be a first and paramount lien against the lands assessed, subject only to the lien for State and county taxes. If lands in any county are assessed, a copy thereof so far as relates to land in such county, shall be filed with the county clerk of such other county or counties."

And by inserting in lieu thereof the following:

"Attached to this drainage assessment roll, or accompanying the same and filed with it, shall be a statement of the costs of the work to be done, including damages awarded and to be paid by the owners of the land and private ditches and costs of the proceeding and all wages, salaries, fees, including all fees due and to become due to the attorneys, engineers and other agents, and all costs and expense of every kind, nature or description and five per cent in addition thereto to meet any unforeseen contingencies. This drainage roll and the statement of the cost of the improvement attached thereto shall be made in duplicate and shall be signed by the chairman and secretary of said board and one copy thereof filed with the secretary of the board and the other copy shall be filed with the clerk of the county court in which proceeding is pending and upon the filing of said copies of the said assessment roll and the statement of the costs thereof attached with the said clerk, the clerk, if the same is filed in his office more than ten days before the first day of the next regular term of the county court, shall give notice by publication for at least ten days in some newspaper regularly published in the said county of the filing of

the said assessment roll and statement, and that the same will come on to be heard on the first day of the next succeeding term of the county court, and if the said assessment roll and statement of costs is not filed more than ten days prior to the first day of the next term of the said court, then on the first day of the said term the judge of the said court shall set the same for hearing and the clerk shall give, at least, ten days' notice of the time of the hearing on the assessment roll and statement of costs by publishing the notice thereof at least ten days before the time set for hearing in some newspaper regularly published in said county in which the proceedings are pending. In either event, the clerk shall also cause notices to be posted in five public places in the district more than ten days prior to the said hearing and shall also cause to be posted on the front door of the court house a similar notice.

At the time fixed for the hearing the court shall hear in a summary way any and all objections to the amount of the cost of the said improvement as set out in the statement made by the said Drainage Commissioners and filed with the said assessment roll, and any and all objections to the assessment of lands therein set forth, and shall enter an order confirming the said assessment roll, or directing the commissioners to change the same in accordance with the finding of the said court if the court shall sustain any objection to any of the items of the said cost, or should find that the land is not benefited the amount assessed against it. But no question or objection which could have been raised or presented to the final report of the viewers classifying the land and making special assessments, or at any time before the filing of said assessment roll or statement of costs, can be raised or presented in or by exceptions to said assessment roll or statement of costs. The order of the court confirming or modifying said assessment roll and statement of costs shall be a final order and may be appealed from in the same manner as from orders confirming the preliminary report of the

viewers of their final report. Said order shall also direct the clerk of said court to certify to the County Treasurer a copy of the said assessment roll as filed by the commissioners or as changed by the court, if it is so changed. One copy of the said assessment roll shall be retained by the clerk and recorded as part of the drainage record. Said assessment roll shall constitute and be a first and paramount lien against the lands assessed, subject only to the lien for State and county taxes. If lands in any other county are assessed, another copy of said assessment roll so far as it relates to lands in such other county shall be filed with the county clerk of such other county. In all cases now or heretofore pending in which the statement of the costs, such as hereinabove provided for, has been filed either with or prior to the filing of the assessment roll or with, or part of, any report by the Board of Drainage Commissioners and upon which there has been an opportunity to file exceptions thereto and for a hearing thereon and notice has been given of such hearing either by publication in some newspaper or by posting notices in the district, such statements of costs, reports and assessment rolls are hereby confirmed and validated; and all proceedings wherein any county court of this State has attempted to pass upon the assessment roll of the drainage commissioners, or any report or statement of the costs of the said proceeding, after a notice has been given by publication in some newspaper of the county in which the drainage district was organized, as to the time and place for the hearing on the same, are hereby confirmed, validated and approved, and shall be held to be as valid as if there had been a law authorizing the hearing on the same in existence at the time the said hearing was had and as if the law provided for the said hearing and notice, as had and given, and all said proceedings are hereby validated and made valid."

So that the said subsection thirty-one of said section 2380 of the Kentucky Statutes, as amended and re-enacted, shall read as follows:

"After the classification of the land and the ratio of assessment of the different classes to be made thereon has been confirmed by the court, the drainage commissioners shall prepare an assessment roll or drainage tax duplicate, giving a description of all the land in said drainage district, the name of the owner, so far as can be ascertained from the public records, and the amount of assessment against each of the several tracts of land. In preparing this assessment roll, the board shall ascertain the total cost of the improvement, including the damages awarded and to be paid to the owners of land, and privtae ditches, the costs of the proceedings and all wages paid or to be paid, including that of the board and its employes and deduct therefrom any special assessment made against any railroad or highway, and the remainder shall be the amount to be borne and paid by the lands benefited. This amount shall be assessed against the several tracts of land according to the benefit received, as shown by the classification and ratio of assessments made by the viewers, and confirmed by the court. Attached to this drainage assessment roll or accompanying same and filed with it shall be a statement of the costs of the work to be done including damages awarded and to be paid to the owners of land and private ditches and costs of the proceeding and all wages, salaries, fees, including all fees due and to become due to the attorneys, engineers, and other agents and all costs and expenses of every kind, nature or description and five per cent in addition thereto to meet any unforeseen contingencies. This drainage tax roll and the statement of the cost of the improvement attached thereto shall be made in duplicate and shall be signed by the chairman and secretary of the said board and one copy thereof filed with the secretary of the board and the other copy shall be filed with the clerk of the county court in which the proceeding is pending and upon the filing of the said copies of the said assessent roll and the statement of costs thereto attached with the said clerk, the clerk, if the same is filed in his office more than ten days before

the first day of the next regular term of the county court, shall give notice by publication for at least ten days in some newspaper regularly published in the said county of the filing of the said assessment roll and statement, and that the same will come on to be heard on the first day of the next succeeding term of the county court. and if the said assessment roll and statement of costs is not filed more than ten days prior to the first day of the next term of the said court, then on the first day of the said term the judge of the said court shall set the same for hearing and the clerk shall give, at least, ten days' notice of the time of the hearing on the assessment roll and statement of cost by publishing the notice thereof at least ten days before the time set for hearing in some newspaper regularly published in said county in which the proceedings are pending. In either event, the clerk shall also cause notices to be posted in five public places in the district more than ten days prior to the said hearing and shall also cause to be posted on the front door of the court house a similar notice.

At the time fixed for the hearing the court shall hear in a summary way any and all objections to the amount of the cost of said improvement as set out in the statement made by the said drainage commissioners and filed with the said assessment roll, and any and all objections to the assessment of lands therein set forth, and shall enter an order confirming the said assessment roll, or directing the commissioners to change the same in accordance with the finding of the said court if the court shall sustain any objection to any of the items of the said cost, or should find that the land is not benefited the amount assessed against it. But no question or objection which could have been raised or presented to the final report of the viewers classifying the land and making special assessments, or at any time before the filing of said assessment roll or statement of costs, can be raised or presented in or by exceptions to said assessment roll or statement of costs. The order of the court confirming or modify-

ing said assessment roll and statement of costs shall be a final order and may be appealed from in the same manner as from orders confirming the preliminary report of the viewers or their final report. Said order shall also direct the clerk of said court to certify to the county treasurer a copy of the said assessment roll as filed by the commissioners, or as changed by the court, if it is so changed. One copy of the said assessment roll shall be retained by the clerk and recorded as part of the drainage record. Said assessment roll shall constitute and be a first and paramount lien against the lands assessed, subject only to the lien for state and county taxes. If the lands in any other county are assessed another copy of said assessment roll so far as it relates to lands in such other county shall be filed with the county clerk of such other county. In all cases now or heretofore pending in which the statement of the courts, such as is hereinabove provided for, has been filed either with or prior to the filing of the assessment roll or with, or part of, any report by the Board of Drainage Commissioners and upon which there has been an opportunity to file exceptions thereto and for a hearing thereon and notice has been given of such hearing either by publication in some newspaper or by posting notices in the district, such statement of costs, reports and assessment rolls are hereby confirmed and validated; and all proceedings wherein any county court of this State has attempted to pass upon the assessment roll of the drainage commissioners, or any report or statement of the costs of the said proceeding, after a notice has been given by publication in some newspaper of the county in which the drainage district was organized, as to the time and place for the hearing on the same, are hereby confirmed, validated and approved, and shall be held to be as valid as if there had been a law authorizing the hearing on the same in existence at the time the said hearing was had and as if the law provided for the hearing and notice, as had and given, and all said proceedings are hereby validated and made valid.

And that subsection 34 of said section 2380 of the Kentucky Statutes be, and it is, hereby amended by striking out said subsection 34 and in lieu thereof enacting the following:

"At the expiration of thirty days after the publication, the Board of Drainage Commissioners may divide the unpaid assessment into annual installments, not less than two nor more than thirty, which shall draw interest at the rate of six per cent per annum, payable annually from thirty days after the date of publication, and may issue bonds to anticipate the collection thereof, which bonds shall mature in series to correspond with the said installments into which the unpaid assessment is divided, and which bonds shall draw interest at the rate of six per cent per annum, payable annually, and be payable at some place to be designated by the Board of Drainage Commissioners and the said bonds so issued shall be for the exclusive use and benefit of said drainage district, and shall designate on the face thereof the name of the said district and the purpose for which they were issued. The assessent, and each installment thereof, shall constitute a first and paramount lien, second only to state and county taxes upon the lands assessed in said district, for the construction of the work ordered to be done therein upon which the assessment has not been fully paid. The drainage commissioners, in dividing the unpaid assessment into installments, shall fix the time for the payment thereof in each respective year so that each installment shall be due at least one hundred and twenty days before the bonds in that series which have been issued to anticipate the collection of that installment shall become due, and it shall be the duty of each land owner whose land is in lien for the payment of said bonds to pay the instalment due thereon against his land, with all interest due at that time on the instalment and deferred instalments, to the treasurer on or before the time fixed by the drainage commissioners for the maturity of the said instalment. Upon the first Monday after the said instalment is due, the Board of

Drainage Commissioners shall meet and ascertain the party or parties whose instalment is in default, if any, and shall on said date issue warrants directed to the sheriff or other collecting officer directing him forthwith to collect the same in default. Said sheriff or collecting officer shall collect said instalment with interest that is due on that and deferred instalents, together with a penalty of six per cent thereon as state and county taxes are collected, and settle therefor with said Board of Drainage Commissioners within sixty days from the time the same were certified to him, and pay to said board the moneys so collected. And all lands upon which the said moneys due on the said installment have not been collected at the end of the said sixty days, the said sheriff shall forthwith advertise and sell in the same manner as is provided in the case of state and county taxes. The said sale so made to be subject to the future instalments of the said assessments, and at the expiration of ninety (90) days from the date of the original certification of the instalment to the said sheriff or other collecting officer, the said sheriff or other collecting officer shall make final settlement with said Board of Drainage Commissioners and pay to them all moneys in his hands, and in default thereof said commissioners may compel said sheriff to make settlement by rule against him issued by the county court in which said proceedings are pending, after giving him five days' notice thereof in writing. In case any land or lands be not purchased at said sale, the said sheriff or other collecting officer shall purchase said land or lands for said district, and in his final settlement with said drainage commissioner shall take credit therefor. The sheriff or collecting officer shall certify each of said sales to the county court clerk, as required in the sale of lands for state and county taxes, and said clerk shall record such sale in the land sale book kept by him. For collecting the assessments so certified to him the sheriff or other collecting officer shall be paid by the said drainage commissioners the same fees

allowed him for collecting state and county taxes in the same manner, and for recording said certificate of sale the said clerk shall be allowed and paid the same fees allowed him by law for similar work in reference to state and county taxes. The owner of such real estate, or his representatives, heirs or assigns, shall have the right to redeem said land from said sale as is now provided for the redemption of lands sold for state and county taxes, but only upon the same terms and conditions, and within the same time as allowed in such cases. Any sheriff or collecting officer who shall fail to settle and pay off any installent of assessment with interest as herein provided, within the time as herein provided, shall be liable to the Board of Drainage Commissioners for said district for the full amount so certified to him, with interest, which may be collected from the sheriff or other collecting officer by rule issued against him by the county court in which the proceeding is pending on notice of five days in writing previously given to him in reference thereto. The sheriff or other collecting officer shall be liable upon his bond for his acts done hereunder, and for the faithful performance of his duties prescribed herein.

The provisions herein do not deprive and are not to be construed as depriving the holders of the bonds from having all rights by mandamus or otherwise against the drainage commissioners, the sheriff and all other officers or agents of said district having duties to perform hereunder."

And that subsection 35 of the said section 2380 of the Kentucky Statutes be, and it is, hereby amended by adding thereto the following words:

"And in any other cases where for any cause it is ascertained that the amount assessed against the property in the drainage district is not sufficient to complete the ditch, drain, levees, bridges or other improvements provided for, the county court shall, upon petition of the Board of Drainage

Commissioners, or any three or more of the petitioners, or upon their joint petition setting forth the amount of the deficit, the causes thereof and the amount necessary to be raised in order to complete said work and asking an additional levy and assessment thereof, give notice of the filing and the purpose of the petition, and fix a time not less than ten nor more than twenty days from the giving of said notice when said petition shall be acted upon or exceptions, answers or objections filed thereto. Said notice shall be published in at least one newspaper in the county, if any, and posted in at least three public places in the drainage district, and such publication shall, when so made by the clerk of the court, be deemed sufficient and due notice of said proceedings to all parties affected thereby, and if upon hearing the court shall be of the opinion that the additional assessments and levy asked for in the petition are necessary and ought to be made in order to complete said work, the court shall direct such assessment and re-levy to be made by the commissioners of the drainage board, such additional assessment and levy to be made in the same ratio on the lands benefited as the original assessment was made and be collected in the same way."

So that said subsection 35 of section 2380 of the Kentucky Statutes shall read as follows:

"When said court has confirmed an assessment for the construction of any public levee, ditch or drain and such assessment has been modified by a court of superior jurisdiction, but for some unforeseen cause it can not be collected, the Board of Drainage Commissioners shall have power to change or modify the assessment as originally confirmed to conform to the judgment of the court and to cover any deficit that may have been caused by the order of said court, or unforseen occurrence. The said re-levy shall be made for the additional sum required, in the same ratio on the lands as the assessment was made.

And in any other cases where for any cause it is ascertained that the amount assessed against the property in the drainage district is not sufficient to complete the ditch, drain, levees, bridges or other improvements provided for, the county court shall, upon petition of the Board of Drainage Commissioners, or any three or more of the petitioners, or upon their joint petition setting forth the amount of the deficit, the causes thereof and the amount necessary to be raised in order to complete said work and asking an additional levy and assessment thereof, give notice of the filing and the purpose of the petition, and fix a time not less than ten nor more than twenty days from the giving of said notice when said petition shall be acted upon or exceptions, answers or objections filed thereto. Said notice shall be published in at least one newspaper in the county, if any, and posted in at least three public places in the drainage district, and such publication shall, when so made by the clerk of the court, be deemed sufficient and due notice of said proceedings to all parties affected thereby, and if upon hearing the court shall be of the opinion that the additional assessment and levy asked for in the petition are necessary and ought to be made in order to complete said work, the court shall direct such assessment and re-levy to be made by the commissioners of the drainage district, such additional assessment and re-levy to be made in the same ratio on the lands benefited as the original assessment was made and collected in the same way."

And that subsection 49 of said section 2380 of the Kentucky Statutes be, and it is, hereby amended by adding thereto at the end thereof the following words and figures:

"The amendments herein provided and sections two (2), seven (7), ten (10), thirty-four (34), thirty-five (35) and forty-nine (49) of said act, viz.: (the act approved March 19, 1912) as herein amended shall apply, so far as applicable, to

proceedings now pending as well as those that may hereafter be instituted; but as to proceedings now pending said amendments shall not be construed as invalidating any proceedings or steps heretofore had or taken. All proceedings heretofore had under the said act, and all steps taken to organize districts thereunder and all districts heretofore organized, all assessments heretofore made, all contracts heretofore entered into and all bonds heretofore issued or ordered or directed by the Board of Drainage Commissioners to be issued under the said act are hereby validated and made valid; and all such districts heretofore organized are declared to be valid and existing districts and all acts and proceedings heretofore done, had and performed by each of such districts and the drainage commissioners acting for them, and all acts of the Board of Viewers and of the Board of Drainage Commissioners and of the court in respect thereto, are hereby declared to be legal and valid in all respects."

So that said subsection 49 of said section 2380 of the Kentucky Statutes, as amended and re-enacted, shall read as follows:

"The provisions of this act shall be liberally construed so as to carry into effect the true intent and meaning thereof, and to promote the levying, ditching, draining and reclamation of wet, swampy or overflow lands. If any part of this act shall be declared illegal, it shall not affect the remaining part thereof. The collection of the assessment shall not be defeated where the parties are properly before the court on account of any irregularity in the proceedings which does not affect the substantial rights of the party complaining. Any party or their privies properly before the court under the Civil Code of Practice shall be deemed to be before the court for all purposes, and shall be bound by all orders, judgments and proceedings in the case not excepted to or appealed from, in the manner herein provided for. The remedies herein pro-

vided for are exclusive of all other remedies. If on appeal or otherwise, or for any cause, any person or property shall be released, or any assessment raised or lowered, it shall in no manner affect the rights or liability of any other property or person, and the failure to appeal within the time herein prescribed shall be a waiver of any right to attack the proceedings. The amendments herein provided and sections two (2), seven (7), ten (10), thirty-one (31), thirty-four (34), thirty-five (35) and forty-nine (49) of said section 2380, as herein amended, shall apply, so far as applicable, to proceedings now pending, as well as those that may hereafter be instituted; but as to proceedings now pending said amendments shall not be construed as invalidating any proceeding or steps heretofore had or taken. All proceedings heretofore had under the act, and all steps taken to organize districts thereunder, and all districts heretofore organized, all assessments heretofore made, all contracts heretofore entered into, and all bonds heretofore issued, or ordered or directed by the Board of Drainage Commissioners to be issued under the said act are hereby validated and made valid; and all such districts heretofore organized are declared to be valid and existing districts and all acts and proceedings heretofore done, had and performed by each of said districts and the Board of Drainage Commissioners acting for them, and for each of them, and all acts of the viewers and of the Board of Drainage Commissioners and of the court in respect thereto, are hereby declared to be legal and valid in all respects.

49a. Discontinuance of Ditches.—If at any time a majority in number and amount of those assessed for the maintenance of any public ditch shall petition the county court for a discontinuance of said ditch as a public ditch, the judge shall docket the said petition upon the docket of his court, which convenes not less than fifteen days after the filing thereof with him, and issue notices and cause same to be served upon all parties interested that, at the next term of his court,

he will consider the said petition, and if no valid reason is shown against the discontinuance of said ditch, said judge shall enter an order discontinuing same and after said order of discontinuance is entered, it shall cease to be a public ditch in this state, but an appeal may be had from the said order to the circuit court, as provided in the construction of ditches under the provisions of this act.

For the purpose of enabling the county judge to give notice to those interested, the petition seeking the discontinuance of said ditch shall give the names of all persons interested in the maintenance of said ditch and owning lands within said drainage district."

Said amendment by way of substitute was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended by way of substitute therefor, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	O. V. Brown	H. L. Dixon
B. S. Bailey	R. J. Cain	F. A. Easterling
L. D. Baldauf	T. L. Caudel	I. H. Gabbard
A. L. Baldwin	John Cook	M. E. Gilbert
W. T. Beckham	Fred Cornelius	W. H. Hager
B. C. Beckmann	W. P. Cropper	A. L. Hamilton
H. V. Bell	James S. Cruse	L. B. Hamilton
Leroy Bonta	J. C. Davis	E. C. Hardin
W. P. Bowman	A. A. Demunbrun	Joe Huddleston

Chas. L. Hunter	A. J. McCandless	Ben Street
J. W. Johnson	W. P. McDonogh	John W. Swope
Leslie P. Jones	H. C. McGehee	Claude M. Thomas
W. H. Jones	S. Lee McGohan	John B. Thomas
Griffin Kelly	W. B. O'Bannon	Geo. F. Thompson
W. F. Klair	A. J. Oliver	J. T. Thornton
H. A Knollmann	W. F. Paris	S. G. Thornberry
S. D. Laughlin	Lilburn Phelps	W. F. Trusty
M. E. Lee	Luther Pieratt	J. Wood Vance
J. E. Lilly	Ote Piper	G. Frank Walthal
Harry J. Meyers	Richard Radcliffe	W. N. Winn
Clarence Miller	Avery Sartin	E. G. Young
Claude D. Minor	Joe Schneider	
Ryland C. Musick	R. T. Smith	—67

Resolved, that the title thereof be as amended by way of substitute.

Mr. Klair moved that when this House adjourns today, it be to meet again on Monday, next, March 11, 1918, at 1:30 o'clock p. m.

Said motion was agreed to.

Mr. Klair moved that the session of today be extended indefinitely.

Said motion was agreed to.

The House then took up for consideration from the orders of the day, pursuant to motion made by Mr. Kelly and adopted by the House, a bill entitled, viz.:

H. B. 359. An act relating to the drainage and the prevention of overflow of lands, towns, cities, roads, streets, the establishment, organization and maintenance of drainage, levee, and reclamation districts, the construction and maintenance of public ditches, canals, drains, sewers, dams, levees,

and the straightening, widening, deepening, enlarging, and otherwise improving public ditches, drains, creeks, rivers or other streams, prescribing the method of procedure, the levying and collection of assessment for the payment of the costs and expense of establishing and organizing such districts, the construction of such improvements, creating and incorporating boards of drainage commissioners, and prescribing the duties of commissioners and other officers and employees, and providing for the payment of such officers and employes performing duties, the issuing and selling of district bonds, with which to secure funds with which to defray the cost and expenses of improvements hereunder.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That jurisdiction, power and authority is hereby conferred upon all county and circuit courts of this Commonwealth to establish and organize (drainage), (levee) and (reclamation) districts in this Commonwealth, and to the end that the purpose, design and intention of this act may be carried into full force and effect, power and authority is hereby conferred upon said courts to provide ways and means consistent with the provisions of this act for the establishment, organization, operation and maintenance of drainage, levee and reclamation districts in this Commonwealth. The original jurisdiction, hereby conferred upon county courts and circuit courts of this Commonwealth to establish, organize and provide for the operation and maintenance of drainage, levee and reclamation districts, shall be concurrent, the one with the other.

Sub-section A. There is also hereby conferred upon the circuit courts of this Commonwealth appellate jurisdiction with reference to all matters pertaining to the provisions of this act, from all orders and judgments of the county

court concerning matters pertaining to the provisions of this act, which are final in their nature.

Sub-section B. Appeals shall also lie, be granted and may be prosecuted to the Court of Appeals of Kentucky, from all orders and judgments rendered by any circuit court concerning matters pertaining to the provisions of this act, which are final in their nature.

Sub-section C. The proceedings for the establishment, organization, operation and maintenance of drainage, levee or reclamation districts in this Commonwealth may be commenced and had under and in pursuance to the provisions of this act, and all appeals granted and prosecuted shall be governed by the provisions of this act. In matters relating to procedure, the provisions of this act are intended to be exclusive of all other remedies. In matters where no rule of procedure is especially set out herein, the same shall be governed by the rules of Civil Code of Practice and the common law rules of procedure prevailing in this Commonwealth.

Sub-section D. Trials upon appeals to the circuit court from orders and judgments of the county court shall be *de novo,* and the same shall be tried and judgment rendered and executed as though the proceedings had been originally commenced in the circuit court.

Sub-section E. All judgments establishing, organizing or refusing to establish, organize or provide for the maintenance of any drainage, levee or reclamation district under the provisions of this act, from which no appeal is prosecuted, shall be executed by the orders and judgments of the court wherein the judgment is rendered.

Sub-section F. Proceedings under the provisions of this act shall have precedence on the docket of the county and circuit courts of this Commonwealth, over all other civil cases, except election cases and special proceedings which have heretofore by other laws been given precedence on the court's docket.

Sub-section G. Any person, firm or corporation, who considers himself aggrieved by any final judgment or order of any county court establishing, organizing or refusing to establish, organize or provide for, or refusing to provide for the operation or maintenance of any drainage, levee or reclamation district, may pray and shall be granted an appeal to the circuit court of that county. Such appeal must be taken within ten (10) days from the day on which the judgment or order was rendered, but not thereafter. The party or parties so prosecuting such appeal shall file with the clerk of the circuit court of the county wherein the said order or judgment was entered by the county court, a certified copy of the order or judgment appealed from, and execute before the clerk of the circuit court a bond with good and sufficient security, to be approved by said clerk, conditioned that he or they shall prosecute said appeal and pay all costs that shall be adjudged against him or them on such appeal in the circuit court. Trials in the circuit court shall be *de novo,* as in this act provided, but no issues, which were not raised by pleading or exceptions in the county court, shall be raised or considered on the trial in the circuit court. All orders made in the county court may be read in evidence in the circuit court without being copied. When appeals are prosecuted from the judgment or orders of the county court to the circuit court, the clerk of the county court shall immediately transmit to the clerk of the circuit court all the original papers, together with a copy of all orders in said proceedings. In like manner, any person, firm or corporation who shall consider himself aggrieved by any final order or judgment of the circuit court concerning the provisions of this act may pray and shall be granted an appeal to the Court of Appeals of Kentucky, which may be taken and prosecuted as other appeals from judgments of circuit courts, but such appeal, herein provided for, to the Court of Appeals, shall be taken within ten (10) days from the day on which the order

or judgment appealed from was rendered and not thereafter; and unless such appeal be so taken within ten days, then the order or judgment of the circuit court shall become final. The party or parties prosecuting an appeal to the Court of Appeals of Kentucky shall, within ten days from the day the order or judgment so appealed from was entered, execute a bond before the clerk of the circuit court, with good and sufficient security, to be approved by the clerk, conditioned that he or they will prosecute said appeal with effect and pay all costs that may be adjudged against him or them in the Court of Appeals, and shall within the same time file with the clerk of the Court of Appeals of Kentucky a certified copy of the order of judgment so appealed from, together with a copy of the bond so executed by him or them before the clerk of the circuit court, and, within sixty days from the day on which the order or judgment appealed from was entered, shall file with the clerk of the Court of Appeals of Kentucky a transcript of the record in the proceedings so appealed from; and unless a certified copy of the said order or judgment, together with a copy of the bond above provided for, is filed with the clerk of the Court of Appeals within ten days from the rendition of the judgment, and unless a transcript of the record of such proceedings, as above provided for, be filed with the clerk of the Court of Appeals within sixty days from the day the said order or judgment appealed from was entered, the right of appeal shall then terminate and the judgment become final, and the said order or judgment of the circuit court shall then by proper orders of said court be executed, as herein provided.

Sub-section H. All persons, when notified as hereinafter provided, to answer and show cause why any report of the board of viewers should not be confirmed, and the drainage, levee or reclamation district established, or organized, such person shall from and after such time be deemed before the court for all purposes concerning the establishment and

organization of such district, and the carrying out the purposes of its organization, including such proceedings as may be or become necessary to ascertain any and all benefits, damages or assessments for the costs of establishing and organizing such district, and the cost of constructing the improvements, the collection of the same, and the subsequent maintenance thereof; and in case any appeal is granted or prosecuted from any order or judgment rendered in the county court to the circuit court, or from any order or judgment rendered in the circuit court to the Court of Appeals, no summons shall be required, but all persons when once before the court shall be deemed before the court for all purposes connected with such proceeding thereafter in that court or in any court, to which the proceedings may be carried by appeal or otherwise.

§ 2. The jurisdiction, power and authority conferred upon the county and circuit courts of this Commonwealth by this act shall include the establishing, organizing and providing for the operation and maintenance of drainage, levee and reclamation districts in this Commonwealth, which district, when organized, shall have the power to construct all levees, ditches, drains, sewers, or canals or to have constructed, straightened, widened, deepened, enlarged, strengthened or improved, any levee, ditch. drain, sewer, canal, creek or watercourse within this Commonwealth, all for the purpose of reclaiming, draining or improving any low, wet, swampy or overflowed lands in this Commonwealth or to prevent the overflow of lands or protect towns, municipalities and cities from such overflow therein; provided and conditioned, however, that in so doing navigation upon any navigable stream in this Commonwealth is not thereby impaired; and provided that such improvement will result in public benefit, or will promote the public health or be conducive to the general welfare of the community in which the proposed district is established.

§ 3. Proceedings provided for herein to establish, organize and maintain any drainage, levee or reclamation district shall be *ex parte* proceedings. Such proceedings shall be commenced by five or more persons owning lands situated within the proposed district, filing in the office of the clerk of the county court, or in the office of the clerk of the circuit court of the county wherein said lands and other property proposed to be organized into a drainage, levee or reclamation district are situated, a petition. (If such lands and other property are located in two or more counties, then the said petition shall be filed in the office of the clerk of the county or circuit court of the county in which there are situated some part of the said lands or other property comprising the proposed district.) The circuit court and the county court of any county wherein is situated any part of the land described in said petition comprising the proposed district, shall have jurisdiction of the proceedings as herein provided, for all purposes of this act, regardless of county lines, and the court in which a proceeding is commenced, as herein provided shall have jurisdiction to the exclusion of the courts of any other county wherein any other part of the said proposed district is located, and shall have the same power and authority under the provisions of this act as it would have if all the land or other property in the proposed district were located in such county. The petition thus filed shall set forth a general description of the body of land or other property proposed to be reclaimed, drained, leveed or improved, and shall also, in a general way, set forth and describe the conditions existing and the advantages, if any, that will result from the proposed improvement: first, to the public benefit or utility; second, to the public health of the community where same is to be located and adjacent thereto; third, to the general convenience and welfare which will be promoted thereby; and, fourth, to the lands that will be reclaimed, drained or improved, or the towns, cities or parts thereof that will be

protected from overflow or afforded outlets for sewage, or which will beneficiallly affect the sanitation of said town, city or municipality, and in additon thereto such other facts as may exist, may be alleged in said petition, which will tend to show the sanitary, agricultural or commercial expediency or necessity for making the proposed improvement. In such petition shall be set forth the names of the persons, firms, corporations, cities, towns or municipalities owning the lands or other property, including public highways, streets, sewers, railroad rights of way and road-beds which will be benefited or damaged or affected by such proposed improvement, in so far as the same are known to the petitioners, in which connection the petition shall state what estate each of such owners of said land and other property has in such land or other property; the state and county of his or their residence; whether such owner is an infant or adult; and whether such owner is laboring under any disability except coverture. The postoffice address of each owner of land or other property shall also be given, if known to such petitioner or petitioners. The omission to state any of these facts, however, shall not render the petition defective, or prevent the court from having or entertaining jurisdiction of the proceedings, if the petition sufficiently describes, as by this act provided, the territory sought to be improved; provided, it is alleged therein that the proposed improvement will result in a public benefit or utility or will promote the public health or will conduce to the general welfare of the community in which the proposed district is located. It shall not be necessary for the petition to describe the character of improvement that is necessary to be made, or to attempt to locate any canal, ditch, drain, conduit, sewer, dam, pumping station, levee, stream or watercourse proposed to be straightened, widened, deepened, enlarged, strengthened or improved, but if such facts are set out in the petition they shall not make the said petition defective

or have any controlling influence in the making of such improvement. In describing the territory sought to be improved and embraced in said district it will be sufficient if the petition contains a description by metes and bounds of the boundaries of said territory, but the said territory may be described otherwise. The petition may be amended or supplemented at any time before the drainage, levee or reclamation district is fully and completely organized. The petition herein provided for shall be signed by one or more persons who own land or other property in the proposed drainage, levee or reclamation district, which land or other property will be affected by the construction of the proposed improvement. Three copies of such petition shall be filed with the clerk of the court at the commencement of such proceeding. At the time of the commencement of such proceedings the petitioner or petitioners shall execute a bond in the sum of two thousand dollars, with good and sufficient surety, to be approved by the clerk of the court wherein the petition is filed, which bond shall be payable to the Commonwealth of Kentucky, for the use and benefit of any and all persons who are, or may become, interested in said proceedings, conditioned for the payment of all costs and expenses, which may be incurred in the event the prayer of the petition shall not be granted. If at any time it shall appear to the court that said bond is, from any cause, insufficient to secure the payment of the costs and expenses incurred, additional bond or bonds may be required, and upon the refusal or failure of the petitioner or petitioners, or some one of them, to execute such additional bond within thirty days, the court may then, in its discretion, dismiss the proceedings at the cost of the petitioner or petitioners.

§ 4. On the first day of the next succeeding term of the court, which convenes after the *ex parte* petition hereinbefore provided for, has been filed, the court shall, by an order duly entered, appoint a board of viewers, to view the

lands and other property sought to be improved. Such board of viewers shall be composed of three members, two of whom shall be resident freeholders of the county or counties wherein some of the land or other property described in the petition is situated, above the age of twenty-one years, and not owners of any land or other property located in the territory proposed to be organized into the drainage, levee or reclamation district, nor of kin of the second degree of consanguinity, to any of the petitioners, nor to any person who is shown in the petition to be the owner of any land or other property in the proposed district; the other member of said board of viewers shall be a competent civil and drainage engineer, who may or may not be a resident of this Commonwealth, provided he does not own any land or other property in the proposed district and is not related in like degree to any one of the petitioners, or other person shown by the petition to be the owner of land or property in the proposed district.

§ 5. Before entering upon the discharge of their duties the members of the board of viewers shall be sworn to faithfully and impartially perform their duties to the best of their ability, which oath shall be written and subscribed to by each of them and filed with and become a part of the record. They shall then proceed to examine the lands and other property in the territory described in the petition, and any other land and property not embraced in the petition, which may be affected by the organization of the district proposed to be established and organized, or the work proposed to be done or that should be done therein, either in the way of being benefited thereby, or in being necessary to locate any of the work that in their judgment may become necessary to be done in the said district proposed to be established and organized. They may make, or have made, such surveys as may be necessary to determine the boundaries and elevations of the several parts of the district,

and the course of all ditches, sewers, canals, drains, watercourses, creeks, streams and levees therein, and shall make and file with the clerk of the court, wherein the proceedings are pending, within thirty days from the date of their qualification (unless the time be extended by order of the judge of the court), a written report and two copies thereof, covering the following matters:

Sub-section A. Whether the improvement proposed will or will not result in public benefit or utility, or whether the public health, convenience or welfare will be promoted thereby.

Sub-section B. Whether the establishment and organization of the proposed drainage district, or other proposed improvement will or will not benefit the lands, towns, cities, municipalities or other property sought to be benefited or any of them. If the board of viewers find that any of the lands or other property, described in the petition, will not be benefited, they shall specifically and expressly describe these lands and other property, giving the name of the owner or owners thereof, if known, so that the court may know definitely what lands or other property will not be benefited.

Sub-section C. Whether or not all of the lands or other property that will be benefited are included in the proposed district, as described in the petition. If the board of viewers finds any lands or other property will be benefited or affected by the proposed improvement that are not mentioned or described in the petition, they shall so report, giving the name or names of the owners thereof, and the description of the lands or other property severally owned by them, and if any town, city or municipality will, in their opinion, be benefited or damaged they shall so state in their report.

Sub-section D. Their report shall describe with accuracy the body or territory of land and other property which shall in their opinion be embraced in the proposed

(drainage) (levee) or (reclamation) district, by giving a boundary description thereof by metes and bounds, courses and distances, which report shall be accompanied by a map, showing in the same way the body or territory of lands and other property proposed by them to be embraced in such district. They shall also, in their report, state the names of all persons, corporations, towns, cities and municipalities who own land or other property in the proposed district, giving the postoffice address of each such person, if known; if not, the last known postoffice address, or if this fact cannot be ascertained by them, they shall state such fact. They shall also, in said report, state the approximate quantity of land or other property each such person owns.

Sub-section E. They shall also, in their said report, state whether the owners of land or other property located in, or that will be affected by the establishment and organization of the proposed district are infants or adults, or whether such person is laboring under any other disability, and if an infant whether such infant or other person under any disability, except coverture, is under or over the age of fourteen (14) years, and likewise state the name of the guardian, curator or committee of each infant or other person under disability, other than coverture; the place where both the infant or other person under disability, and his or her guardian, curator or committee resides, and whether either of the parents of any infant, or other person under disability, are living, and who has the custody of such infant, or other person under disability. They shall also, in their said report, make recommendations as to whether or not the proposed (drainage), (levee) or (reclamation) district should be established. Said report shall be signed and sworn to by at least two members of said board of viewers, and each of the three copies of said report shall be received and kept by the clerk of the court wherein such proceeding is pending. Such report may, at any time thereafter before final hearing thereon, be amended by said board of viewers.

§ 6. If the report of the board of viewers above provided for, when filed in the office of the clerk of the court, shall recommend the establishment and organization of the proposed (drainage), (levee) or (reclamation) district, then the clerk of the said court shall forthwith cause notice thereof to be given to each person named in said report as the owner of land or other property located in the proposed district, or outside thereof, which will be affected by the construction of the proposed improvement, stating the time within which objections or exceptions may be filed and the time said proceeding will stand for trial by the court, which notice shall contain the description of the territory proposed to be embraced in said (drainage), (levee) or (reclamation) district, together with the names and postoffice address of all persons as shown in said report to be the owner of land or property in said district, or whose land or property will be affected by the construction of said proposed improvement, together with the approximate quantity of land therein, so owned by each person according to such report, which notice shall also contain a general description of the improvement proposed to be made. Said notice shall be in substance as follows:

The Commonwealth of Kentucky:

(Here insert names of all land owners and owners of any other property named in said report).....
You are hereby notified to appear in the.....court of the county of....., Kentucky, within thirty (30) days from this date and show cause, if any you have, why the prayer of the petition of.....et al., herein filed, shall not be granted, and why the report of the board of viewers filed herein and now on file in the office of the clerk of said court, should not be confirmed, which report recommends the establishment and organization of a (drainage), (levee) or (reclamation) district, embracing the following territory.....(here describe the territory by boun-

daries as described in the report of the board of viewers) and to show cause why the land or other property owned by you, located in the proposed district, shall not be assessed for the purpose of establishing and organizing said district, and constructing the proposed improvement and the maintenance thereof, and why so much of the land or other property owned by you which may be necessary to construct and maintain said proposed improvement, shall not be taken or damaged for such purpose. Upon your failure to appear and file objections or exceptions, if any you have within thirty days from this date, it will be taken for granted and confessed by the court and all others that you have no objections to the establishment and organization of said district, or the construction and maintenance of the proposed improvement in said (drainage), (levee) or (reclamation) district. The proposed improvement is described as follows: (here give a general description of the proposed improvement according to the recommendations contained in said report). Witness my hand as clerk of the ..... court on this the.....day of....., 19.....

.....Clerk.

By.....D. C.

It shall be the duty of the clerk of said court in which said proceeding is pending to cause a copy of said notice to be placed in an envelope plainly addressed to each such owner of land or other property, corporation, town, city or municipality, at his or her post office address as shown in said viewers' report, with the proper postage on said envelope to entitle same to be carried through the mails of the United States, and said clerk shall cause same to be deposited in the United States post office at the county seat of the county wherein said proceeding is pending; and this shall be done by the clerk within five days after the report of the board of viewers is filed in his office; said clerk shall also cause said notice to be published once each week for three

consecutive weeks next after said report is so filed in his office, in some newspaper published in the county where said proceeding is pending and in all newspapers published within the territory proposed to be incorporated in any such (drainage), (levee) or (reclamation) district, and he shall also post a copy of such notice at ten public and conspicuous places within the territory proposed to be embraced in said district as described in said report filed in his office. And if said district is partly located in two or more counties then he shall post a copy of said notice at at least five different public and conspicuous places within that part of said district in each county wherein any part of said district is located, and in addition thereto post one copy thereof at the court house door at the county seat of each county in which any part of said district is located.

The posting of the notice as herein provided for shall be done within ten days after said report is filed in such clerk's office.

It shall be the duty of said clerk after he has filed the report of the board of viewers, and caused the notice herein provided for to be mailed to all owners of land and other property as above provided, and after having such notice published in a newspaper or newspapers and posted as herein provided for to prepare and attach to each copy of the viewers' report, his certificate in writing, signed by him, showing how he has performed his duties.

Said certificate shall be substantially as follows:

Commonwealth of Kentucky.

County of.....

In the..... .....Court

(Name of county) (County of circuit)

In the matter of (drainage), (levee) or (reclamation) district.

Wherein.....and others are petitioners ex parte.

Located in the (county or counties) of....., in the State of Kentucky. I, ..., clerk of the..... ....., do now hereby certify that on the.....day of....., 19....., the board of viewers appointed by the court in the above proceeding, filed in my office their report in writing, together with two copies thereof, each of which was on said day endorsed and filed by me, which report recommended the establishment of said district; that I did then within five days thereafter and on the..... day of....., 19....., cause to be prepared a notice as required by law, and did plainly address one copy thereof to each of the following named persons, corporations, towns, cities and municipalities (here insert names of each such person) and did sign said notice as clerk of said court, and did place a copy of such notice in an envelope plainly addressed to each such person named in said report and at the post office address of each such person as given in the report of said board of viewers, and did on same day after placing the proper postage on each envelope to entitle same to be carried through the United States mails, deposit same in the United States post office at ..... in the county of ....., Kentucky, same being the county seat of the county wherein this proceeding is pending, and I did post a copy of said notice at ten public and conspicuous places within the territory proposed to be embraced in, and incorporated into, said (drainage), (levee) or (reclamation) district, I did also post five copies thereof at public and conspicuous places in that part of the territory embraced in said proposed district, located in each of the following counties, viz.: .... and did also post a copy thereof at the court house door in each of the following named counties wherein parts of said district are located, viz.: ....., ..., ..., ..., and I did cause said notice to be published once each week for three consecutive weeks next after said report was filed in my office in

the following newspapers, viz.: ....., ..., ..., which notice was published in said newspapers on the following respective days and dates, viz.: ....., ..., ..., ... A copy of said notice so mailed to each land owner and posted as hereinbefore stated, is attached hereto and made a part hereof. One copy of each newspaper in which the said notice was published is likewise attached hereto and made a part hereof.

I have executed this certificate in triplicate form, and attached a copy to each of the three copies of said viewers' report.

Given under my hand as clerk of the..... ..... court on this ..... day of ....., 19.....

.....Clerk.

§ 7. If the report of the board of viewers shall recommend against the establishment and organization of the proposed district, the clerk shall not issue any notice thereon unless the court thereafter so orders.

At the next regular term of court after said report has been filed, recommending that the proposed improvement shall not be made, the petitioners or any of them, or any owner of land or other property located in said proposed drainage, levee or reclamation district, shall have the right to file his or their objections and exceptions to such report, and the court shall hear and try, in a preliminary manner, said objections and exceptions to said report, and if it shall appear to the court that there is a reasonable doubt as to the correctness of said recommendation of said board of viewers, an order shall be entered by the court directing the clerk of the court to give the notice in the same manner required of him where the report recommends the establishment and organization of the said district, except instead of requiring the persons to whom such notice is given to show cause why the report shall not be confirmed, they shall be warned to appear and show why the objections and exceptions to said

report shall not be sustained and said proposed district organized, and the improvement constructed and the lands and other property located therein assessed to pay the cost and expenses of constructing and maintaining said improvement. A hearing shall be had, after the notice has been duly given, as is hereinafter provided for the same as where the board of viewers recommend the establishment and organization of the district, except that if the court on the hearing shall find in favor of the petitioners, and shall find that the district shall be established and organized, and shall find the board of viewers failed to accompany their report with a map of the district, the court shall require and order the engineer who is a member of the board of viewers, to prepare a map of said district; and the order for judgment establishing the district as hereinafter provided for, shall be entered modified in accordance with the circumstances of the case.

§ 8. The certificate of the clerk of the court herein provided for shall be treated as the equivalent to a sheriff's endorsement of service on a summons or other process, and shall be proof of the time and manner of such service, and have the same force and effect as the service of a summons regularly issued and executed by a sheriff in civil actions, and when the court shall, from an inspection of the clerk's certificate, find that the notice herein provided for has been given by the clerk in the way and manner herein prescribed, all persons named in the viewers' report as being the owners of land, easement, or other property, located within the proposed district, which will be subject to assessment for the proposed improvement, or without said district, which will be affected by the construction of the proposed improvement, shall be deemed before the court in said proceeding and for all purposes as fully and completely as if summons had been issued by the clerk and duly executed upon each person named in the viewers' report, as provided by law in other civil actions, and proceedings, and the court shall by virtue

of the said notice having been posted and published by the clerk as in this act prescribed, acquire, have and retain full and complete jurisdiction over all lands, easements, and other property described in the report of the board of viewers as being within said district and subject to assessment, or affected by the construction, operation and maintenance of, or which may be necessary to be taken or used as an outlet, or other purpose in connection with the proposed improvement, and the court shall by virtue of having such jurisdiction over said lands and property be authorized to establish such district and cause same to be organized and to cause all necessary assessments to be levied and collected, to pay for the establishment, organization, construction, operation and maintenance of the improvement, and to have issued, and sold, bonds to secure money with which to pay the cost, and expenses of said district, and to do and cause same to be done in the way and manner by this act prescribed or which may hereafter be prescribed by law.

§ 9. The court shall then set the report of the board of viewers for a hearing, and trial upon exceptions and objections thereto. The court shall have the right to continue the proceedings from term to term and cause the clerk to give the proper notice if he has failed to do so, to the end that all persons owning land and other property in the proposed district or affected thereby shall be before the court. Any owner of real estate or other property in said proposed district or whose lands or other property outside of said district which will be affected thereby, may file his objections and exceptions showing reasons why the district should not be established or organized, but the same must be filed within thirty (30) days after the date of the notice by the clerk herein provided for. Such objections shall be limited to a denial of facts alleged in the petition, or facts stated in the report of the viewers. The court shall have the right to continue the hearing from time to time in the furtherance

of justice as occasion demands. The report of the board of viewers shall be taken as prima facie correct. If the court shall find that the land or other property described in the report of viewers shall not be formed into a district, as prayed for in the petition, the petition shall be dismissed and the costs adjudged against the petitioners. No petitioner shall be allowed to dismiss the petition after the viewers are appointed without the written consent of the owners of land owning a majority in acreage of land described in the said petition. If the court should find that the report of the viewers does not correctly describe the body of land involved in the proposed improvement, the proceedings may be again referred to the board of viewers, with directions to report at a date certain to be then fixed by the court, to which time the proceedings shall be continued, and no additional notice need be given, unless additional lands or other property shall be embraced in the amended report, in which case the hearing shall be again fixed by the court and additional notice given and published as hereinabove provided for in the first instance, except such notice shall relate only to such additional persons named as owners of land and property and the additional land and property embraced in the amended report. The hearing shall then be had, as if the land and property added had been embraced in the report originally. If the court overrules all objections, and finds that the territory or some part thereof should be organized into a district as prayed for in the petition, or as reported by the board of viewers, the court shall establish the district by entering an order for judgment substantially as follows:

The Commonwealth of Kentucky. In the ....Court .....County, ...Term, 19.....

In the matter of the petition of.....et al., for the establishment and organization of a (drainage), (levee) (reclamation) district, in the county or counties of ....., ...

Now on this, the.....day of....., 19....., comes on for hearing and trial the exceptions and objection to the report of the board of viewers herein, in and by which proceeding it is sought to establish a (drainage) (levee) (reclamation) district under and by virtue of an act of the General Assembly relating to drainage, and it appearing to the court that the petition and the report of the board of viewers are each in compliance with the law and it further appearing to the court from an inspection of the certificate of the clerk of this court that notice has been given as required by law, and that all persons, corporations, cities, towns and municipalities owning lands, easements or other property within the territory proposed to be incorporated into said district are before the court and that the court now has jurisdiction over said persons named in said report, and over the lands, easements and other property in the following described territory, viz.: (here insert description of territory comprising district) and it appearing to the court that the following named persons have heretofore filed objections and exceptions to said viewers' report, viz.: (here insert names of all persons who have so filed objections and exceptions) and the court having heard the evidence and argument of counsel and being sufficiently advised, it is now adjudged by the court that said objections and exceptions be and they are hereby overruled, and it is now adjudged by the court that the territory above described herein, be and the same is declared and adjudged established, and that same be organized into a (drainage), (levee) (reclamation) district, and a body corporate, under the name and title of (name of district). This proceeding is now ordered into the hands of the board of drainage commissioners of ..... county, to be by them organized into a (drainage), (levee) or (reclamation) district, according to law. The clerk of this court is hereby ordered and directed to issue and deliver to said board of drainage commissioners a certified copy of this

judgment. This proceeding is now continued for further proceedings, such as may be necessary to be had herein.

.....Judge.

.....Court.

The judgment shall be spread upon the order book of the court by the clerk as other judgments.

§ 10. Upon the entering of said order, the said district shall be considered fully established with all the powers herein granted. Costs shall follow the judgment of the court as in civil actions. All property owners whose land or other property are embraced in the report of the board of viewers and appearing in the notice posted by the clerk, shall be bound by the judgment of the court, whether they filed objections or not, and they shall not thereafter be heard on any question raised, or that could have been raised by any party in interest up to that time, subject, however, to the right of appeal on the part of any person feeling himself aggrieved, as herein provided for.

§ 11. As soon as the judgment has been rendered and entered establishing a drainage, levee, or reclamation district as provided for in the preceding sections of this act, the court shall make, and cause to be entered, an order referring the said district to the board of drainage commissioners of the county wherein said proceedings are pending, and shall also, at the same time, enter an order continuing the said proceedings until some day certain in that term, or generally to the next term of the said court, and all persons, named in the clerk's notice and before the said court shall take notice of all continuances of the said proceedings, without further or other notice, as the notice by the clerk in reference to the establishment of the said district shall bring all parties thus named in said notice into court for all purposes and at all terms of court, and at all times in all terms of court to which the proceedings may be continued; and if no order be entered by the court continuing the said proceedings, the

said proceedings will be by law continued from time to time until the improvements are completed and paid for as provided in this act, with like effect as if the order of continuance had been entered.

§ 12. In all counties, towns and cities in this State, where a public ditch, sewer, drain, conduit, levee or other improvements of a similar character shall have been established under pre-existing laws, or may hereafter be established under this act, it shall be the duty of the county judge of that county to appoint a "Board of Drainage Commissioners" of the county, consisting of three members, each of whom shall be over twenty-one years of age and shall be freeholders of the said county, who shall have charge and control of all such public ditches, sewers, drains, conduits, levees, improved water courses and similar improvements, in such county, except as herein otherwise provided, and shall have charge of all work to be done in any district organized under this act, which has been organized by order of either the county court or circuit court of the county in which said Board of Drainage Commissioners were appointed, although some of the land and other property may be in other counties, except such as have been constructed by some city or town independent of the county in which said town or city is located. In case drainage commissioners have heretofore been appointed in any county of this Commonwealth, such drainage commissioners so appointed and in office at the time of the passage of this act shall remain in office for a period of four (4) years from and after the passage of this act without being re-appointed, at which time the county judge of each of the said counties shall appoint a new Board of Drainage Commissioners, consisting of three members, having the qualifications as above set forth, at least one of whom shall be a member of the Board of Drainage Commissioners that is in existence at the time of the passage of this act as aforesaid, provided any such member be living

and is qualified to act. When the three drainage commissioners are appointed at the said time, one shall be appointed for a term of two (2) years, one for a term of four (4) years, and one for a term of six (6) years, or until their successors are duly appointed and qualified. In any county, where there is no Board of Drainage Commissioners existing at the time of the passage of this act, the county judge of the said county shall appoint a "Board of Drainage Commissioners" as above provided for, and having the qualifications as above set forth, one to be appointed for a term of two (2) years, one to be appointed for a term of four (4) years, and one to be appointed for a term of six (6) years. After the appointment of the first Board of Drainage Commissioners, as herein provided for, as each drainage commissioner's term expires, the county judge of that county shall appoint his successor to hold office for a term of six (6) years, or until his successor is appointed and qualified. Each of the said drainage commissioners, when appointed, shall execute bond for the faithful performance of their duties in the penal sum of twenty-five hundred dollars ($2,500.00), and shall be sworn to faithfully perform the duties of their position to the best of their ability. Vacancies on said board shall be filled by the county judge, by appointment of another person possessing the qualifications hereinbefore provided. Immediately upon their appointment and qualification, said board shall become, and is hereby created, a body corporate, under the name and style of the "Board of Drainage Commissioners of ..... County, Kentucky," (the blank to be filled with the name of the county), with the right to acquire, hold, encumber, sell and convey such real estate and personal property as shall be necessary to the conduct of its affairs, to sue and be sued, contract and be contracted with, and shall possess such other powers and rights as usually pertain to corporations, or as may be necessary for carrying on their work, under the provisions of this act. It shall have and use

a corporate seal and may change the same at pleasure. Said board shall elect from among its members a president and vice-president. Said board shall also elect a secretary, who shall not be a member of the board. The Board of Drainage Commissioners shall furnish the secretary of the Board of Drainage Commissioners the necessary office room, furniture, fixtures, stationery, maps, plats, typewriter and postage. The board shall also elect some responsible resident of the county who shall not be a member of the board, treasurer of all districts under their charge and control. Said Board of Drainage Commissioners shall meet as often as necessary for the proper discharge of duties, at such places as the said duties may require, within the county or counties in which the district or any part thereof lies. The said board shall keep complete records of its proceedings, which records shall be public records, and at all times open to the inspection of the public. Said commissioners shall each be paid, as full compensation for their services the sum of six dollars per day, while actually engaged in the performance of their duties, as well as all traveling expenses incurred in attending any meeting of the board, or in the performance of their duties under this act, to be paid out of the respective funds of the respective districts for which they may act.

§ 13. The Board of Drainage Commissioners, as soon as a district shall be refered to it by the court shall levy a uniform tax of not more than fifty cents per acre upon each acre of land within such district, as shown by the viewers' report, to be used for the purpose of paying the expenses incurred in establishing said district, or to be incurred, in organizing said district, making surveys of the same and assessing benefits and damages and to pay other expenses necessary to be incurred before said board shall be empowered by the subsequent provisions of this act to provide funds to pay the total cost of works and improvements of the district. In case the boundaries of the district be extended

under the provisions of a subsequent section of this act, so as to include land and other property not described and contained in the report of the board of viewers approved by the court, the same uniform tax shall be made on such lands and other property as soon as the same shall have been annexed and included in the district. Such tax shall be due and payable as soon as levied, and if not paid by the first day of December of the year in which it is levied, the same shall become delinquent and shall be returned to the sheriff of the county in which the land is located by the said Board of Drainage Commissioners, and shall be collected by the sheriff in the same manner as general State and county taxes. This tax shall be a lien on the land and other property against which it is levied from the time of the levy of the same. This preliminary tax herein provided for shall be collected in the same manner and shall bear the same penalty as other State and county taxes. In case the sum received from such levy exceeds the total costs of items for which the same has been levied, the surplus shall be placed in the general fund of the district and used to pay the cost of construction.

§ 14. Upon reference to it by the court of any proceeding to establish or construct any improvement under this act, the Board of Drainage Commissioners shall appoint a competent civil engineer as chief engineer, who may be an individual, co-partnership or corporation, and who shall engage such assistants as the Board of Drainage Commissioners may approve. The chief engineer shall have control of the engineering work in said district. The chief engineer may by and with the consent of the Board of Drainage Commissioners, consult any eminent engineer or engineers and obtain his or their opinion and advice concerning the plans for reclamation of lands in said district. The said engineer or engineers, shall make all necessary surveys of the lands and other property within the boundary lines of said district, and of all lands

and other property adjacent thereto, that may or will be improved, reclaimed, damaged or taken in part or in whole by any system of drainage or levees that may be outlined and adopted, and said engineer or engineers shall make a report in writing to the Board of Drainage Commissioners, with maps and profiles of said surveys, which report shall contain a plan for draining, leveeing and reclaiming the lands and property described in the order establishing the district, from overflow of or damage by water; said maps and profiles shall also indicate, so far as necessary, the physical characteristics of the lands and other property, and the location of any cities, towns and municipalities, public roads, streets, railroads and other rights of way, roadways, streams, water courses, ditches, sewers, conduits, levees and other property or improvements located on such lands. Said report shall also contain an accurate description of each separate parcel or tract of land within said district, giving the name of the owner thereof, and his post office address, and a statement showing the quantity of land. Said engineer shall also make and file with his report a property map, showing the boundary of each separate tract of land, the quantity of land in each tract, the name of the owner, on which map also shall be shown all streams, roads, railroads, and the location of all proposed improvements designed by the plans for reclamation. All such maps, profiles, plans and specifications, together with the report of the engineer, and all exhibits, filed therewith, shall be made in triplicate by the engineer, one to be marked original and the others duplicates. The original shall not be withdrawn from the custody of the secretary of the Board of Drainage Commissioners, but the duplicates may be withdrawn for use by the viewers, the Board of Drainage Commissioners or for use on the work by the engineer or contractor, receipted for by the person or persons so withdrawing the same, and returned in due time.

§ 15. When such report of the engineer, which shall be known as the "plan for reclamation," is filed, the Board of Drainage Commissioners shall meet and receive and adopt the same, with such modifications, if any, as may be determined upon, and after same has been adopted, file a certified copy of same with a copy of the order of the Board of Drainage Commissioners approving the same with the clerk of the court in which the district was organized. The court, or the judge thereof in vacation, shall then enter an order referring the proceeding to a board of appraisers, to then be appointed by the judge, consisting of three resident freeholders of the county or counties in which the district is located, who are in no way interested in the said proceedings, and not of kin within the second degree of consanguinity to any person owning land in the proposed district, for the purpose of appraising the land and other property, assessing benefits and damages based on the doing of said work as described and set forth in the report and plans for reclamation, approved by the board of drainage commissioners. The clerk of the court shall transmit to the said board of appraisers a certified copy of the "plans of reclamation," which has been approved by the Board of Drainage Commissioners. The members of the board of appraisers at a meeting to be held as soon as possible thereafter, shall each take and subscribe to an oath, that they will each faithfully and impartially discharge their duties and make a true report of the work done by them. They shall at the same meeting organize by electing a chairman.

§ 16. Within ten days after taking the said oath, as provided for in the previous section, the appraisers shall begin their duties. They may at any time call upon the attorney of the district for legal advice and information relative to their duties, and the chief engineer, or one of his assistants, shall accompany said appraisers at all times and render his opinion in writing when called for. Said appraisers

shall proceed to view the premises and determine the value of all land and other property, within or without the district, subject to assessment, or which is to be acquired and used for rights of way, holding basins, pumping stations or other works, set out in the "plan for reclamation;" they shall appraise each parcel or tract of land separately and shall assess the amount of benefits, and the amount of damages, if any, that will accrue to each separate tract or other subdivision of land or other property, public highway, railroad or other right of way, railroad roadway, and other property, from carrying out and putting into effect the "plan of reclamation" as adopted by the Board of Drainage Commissioners. The appraisers in assessing the benefits to lands, public highways, railroads and other rights of way, railroad roadways and other property not traversed by such works and improvements as provided for in the "plan for reclamation" shall not consider what benefits will be derived by such property after other ditches, improvements or other plans for reclamation shall have been constructed, but they shall assess only such benefits as will be derived from the construction of the works and improvements set out in the "plan for reclamation," or as the same may afford an outlet for drainage or protection from overflow of such property. The appraisers shall give due consideration and credit to any other drains, sewers, ditch or ditches, levee or levees or other systems of reclamation, which may have already been constructed and which afford partial or complete protection to any tract or parcel of land or other property in the district. The public highways, streets, railroads and other rights of way, roadways, and other property shall be assessed according to the increased physical efficiency and decreased annual average maintenance cost of roadways by reason of the protection to be derived from the proposed work in improvements capitalized upon a six per cent. basis. The appraisers shall have no power to change or modify the "plan for reclamation" hereinbefore provided for.

The board of appraisers shall prepare a report of their findings in writing which shall be signed by them, or at least two of them. They shall make three copies of said report, to be filed with the clerk of the court wherein the proceeding is pending, also one additional copy for each other county in which any part of the district is located. Said report shall contain a statement of their findings on the following facts, viz.: A description of each parcel or tract of land, and other property, railroad, highways, or other easement as described in the engineer's report containing the "plans for reclamation;" the name of the owner thereof, the name of the county in which it is located, the present value of each separate tract per acre, the number of acres in each tract, the quantity of land in each tract to be taken for right of way or other purpose, the value of the land to be so taken for right of way or other purpose, the consequential damage to each tract or parcel of land, which will result from making the improvement, if any, the enhancement of value of each tract, by the acre, which will result from the making of said improvement, the number of acres in each tract in each class of benefits as classified by them. Each tract shall be reported separately and substantially the following form shall be followed by them in this particular, viz.:

(Name of District).....Drainage, Levee, Reclamation District, located in the County of ..... in Kentucky.

Name of owner.....

Post office address .....

.....

(Description of land.)

Located in ..... County.

Number of acres in tract .....

Present value of land per acre $.....

Quantity of land to be taken for right of way or used for other purpose .....

Value of land to be taken for right of way or other purpose $.....

Consequental damages, if any, to adjacent lands .....

Enhancement of value of land which will result from the improvement per acre $.....

No. of acres in tract in class A.....

No. of acres in tract in class B.....

No. of acres in tract in class C.....

No. of acres in tract in class D.....

No. of acres in tract in class E.....

No. of acres in tract in class.....

No. of acres in tract in class.....

Remarks .....

If the appraisers find any land or other property outside of the said district will be damaged by the proposed work, or that it is necessary to take any such land or other property for rights of way, holding basins, pumping stations or other works set out in the "plan for reclamation," they shall give the name of the owner or owners thereof and a description thereof separately from the report above referred to, but to be made an appendix thereto. They shall also, by and with the advice of the engineer of the district, estimate the cost of works set out in the "plan for reclamation," which estimate shall include cost of property required for rights of way, holding basins, pumping stations and other works and damages, and the probable expenses of organization and administration, as estimated by the Board of Drainage Commissioners, and shall tabulate the same. The secretary of the Board of Drainage Commissioners, or his deputy shall accompany said appraisers while engaged in their duties, and shall perform all clerical work of said board. He shall also under the advice, supervision and direction of the attorney for the district prepare their report. Said board of appraisers shall report to the Board of Drainage Commissioners the number of days each had been employed and the actual expenses incurred.

§ 17. When the report, provided for in the preceding section, is filed in the office of the clerk of the court, wherein the proceeding is pending, it shall be the duty of the clerk, if the report of the appraisers show that any land or other property is going to be taken, damaged or affected, the owner of which has not been brought into court by notice on the organization of the district, to embrace the name of such owner of land and a description of such lands in the notice to then be given by him in the public notice that said report of the appraisers has been so filed, and to set same down for a hearing on a day certain during the next succeeding term of court, which does not convene within less than ten (10) days from the day on which such report was so filed in his office. The public notice which the clerk is hereby required to give shall be substantially as follows:

"Commonwealth of Kentucky.

In re Drainage District No..... .....Court of .....County (or of .....County counties), Kentucky.

Notice is hereby given to all owners of land and other property in (Drainage), (Levee) or (Reclamation) district known as (here insert name of district), the boundaries of which district are as follows (here insert boundary description), (and also a separate description of such lands as have been added by the appraisers, if any, together with name of the owner) and to all persons whose property is or may be affected, whether the same be inside or outside of said district, that the board of appraisers heretofore appointed herein as filed in the office of the clerk of this court their report in which the said board of appraisers states and shows the benefits, damages and the assessments of benefits made upon and against the several tracts and parcels of land and other property located in said district, the classification thereof and their appraisal of the value of the several parcels of land necessary to be taken for rights of way, holding

basins, pumping stations, and other work of said district, both within and without said district, or which will be affected by the making of said improvement. Said proceeding is set for hearing on the.....day of ....., 19....., same being the ..... day of next .....term of said court. Said report is on file in my office and subject to inspection by all persons whomsoever. All persons desiring to file exceptions thereto are required to do so on or before the ..... day of ....., 19....., same being the first day of the .....term of said court. Your failure to file exceptions to said report, on or before the above named date will be construed by the court that you have no reasons to offer why said report should not be confirmed.

Done by me as clerk of the.....court on this the ..... day of ....., 19.....

.....Clerk."

The clerk of the court shall post a written or printed copy of the above notice at the front door of the court house of the county, wherein the proceeding is pending, within five (5) days after the report is filed in his office, and shall cause the same to be published in a newspaper published in each county wherein any part of said district is located, if any newspaper be so published in said county, one day each week from and after the day said report is filed in his office for two (2) consecutive weeks. One copy of each issue of said newspapers so published, containing said notice, shall be filed by said clerk as a part of the papers and files of the record in such proceeding, and on the first day of the term of court at which said report stands for hearing and trial, said clerk shall file in open court his certificate in writing, showing that he has published said notice at the court house door and in the newspapers as herein required, which certificate shall be signed by him, officially and be made and become a part of the files of said proceedings. He shall make and attach a copy thereof to each duplicate copy of the report of the board of appraisers on file in his office.

If no newspaper be published in the county or counties wherein the proceeding is pending, or in any county where any part of the district is located, then a copy of the notice shall be posted at the court house door in each county, wherein any part of said district is located, and at ten (10) public and conspicuous places within said district in the county where no newspaper is published and the same shall be deemed a compliance with the provisions of this act, and the certificate of the clerk above provided for shall be proof of the posting of the said notices in the manner above set out.

All persons who are shown by the report of the board of appraisers to own or control land or other property within or without said drainage, levee or reclamation district, which as shown by said report, will be assessed, benefited, injured or damaged, including railroads, municipal corporations, and public officials controlling streets and public highways, shall have until and including the first day of the term of court at which said report is set for a hearing, to file exceptions to such report, but shall not thereafter be allowed to do so. All exceptions to said report shall be heard and tried by the court on the day the proceeding is set for hearing pursuant to the preceding notice, unless further time be required to complete such trial or hearing. The trial of the exceptions to said report shall be by the court, except in cases where the land is to be condemned and taken for right of way or other purposes, same shall be by a jury, as provided by general laws in the condemnation of land for railroad purposes.

§ 18. If any exceptions have been filed by any person, as above provided, to the report, the Board of Drainage Commissioners are empowered to effect agreement with the persons so filing exceptions to said report, if any such agreement can be reached, but no agreement shall become binding until approved by the court, but if no agreement is effected, a trial shall be had upon such exceptions to said report. A

trial shall first be had on the exceptions to the assessment of damages which shall, if demanded, be by jury, as now provided by law for the condemning of property for railroad rights of way, and the trial thereof shall be governed in all respects by the same rules governing trials in condemnation proceedings for railroad rights of way. This shall apply to the damages assessed to the owners of lands taken for rights of way as herein provided, whether the lands or other property be within or without the drainage, levee or reclamation district. If it be necessary to acquire any right of way or outlet over or through any lands, not embraced in the district the same may be acquired in the same proceeding and the value of the land to be taken for such purpose and the damage to the adjacent lands caused thereby shall be determined in the same proceeding. All damages awarded either for lands inside or outside of the district, or for lands actually taken, shall be paid by the Board of Drainage Commissioners out of the first funds available for that purpose, and the Board of Drainage Commissioners shall either pay in cash or make provisions for the payment thereof and secure the payment to the owner before the land is taken, injured or destroyed, unless the party thereto shall waive such payment in advance. The trial of the exceptions to the damages assessed shall be completed before any hearing or trial is had upon any of the exceptions to the assessment of benefits or classification of the lands or other property in said district, but when the hearing is completed on the exceptions to the assessments of damages, then the court shall hear and determine all exceptions to the assessment of benefits and classification of lands, which shall be heard by the court in a summary manner, so as to carry out liberally the purposes and needs of the district and the equities of all persons interested in the improvement in said district. The court shall determine the correctness of the classification and assessment of benefits to each tact of land or other property involved, when any

exceptions have been filed to the report of the board of appraisers. The report of the board of appraisers shall be prima facie evidence of the fact that the findings therein are true and correct in all respects. If it appears to the court, after having heard and determined all exceptions, that the estimated cost of the construction of the proposed improvement contemplated in the "plan for reclamation" is less than the benefits properly assessed against the land and other property in said district, the court shall then approve and confirm the report of the board of appraisers as to the classification and assessment of benefits as the same shall be amended or modified by the court. The order of the court approving and confirming said report of the board of appraisers shall also contain the judgment of the court relating to the condemnation of the lands and other property to be taken, damaged or destroyed, whether the lands are within or without the boundaries of said district. Provided, further, that if a majority of the land owners shall at this time desire to abandon the proposed improvement, they shall have the right to do so by showing that the costs of the proposed improvement exceed the benefits accruing to the lands and property in said district, and when it is so made to appear, the court shall dismiss the proceeding.

Appeal shall lie and be granted and may be prosecuted by any person, firm or corporation from the judgment of the court, either upon the question of classification or the assessment of benefits or the assessments of damages. Such appeal shall be taken and prosecuted in the same manner and within the time provided for in the preceding sections of this act. Upon such appeal, however, no person shall be allowed to raise any question he did not raise in his exceptions filed by him to the report of the board of appraisers in the trial court. The taking and prosecuting of an appeal by any person or persons, as above provided for herein, shall not in any way stay the proceedings or affect the classification or the assess-

ment of benefits or the assessment of damages to any land or property not directly involved in such appeal, but the pendency of any such appeal shall in no way prevent the execution of the judgment, except that particular part thereof from which the appeal is prosecuted. The judgment shall be construed as a several judgment against, and in favor of each tract or parcel of land or other property. The form of the judgment of the court approving the report of the board of appraisers and the confirmation of the assessment roll of benefits and damages shall be as near as practicable as the condition will permit, substantially as follows:

Commonwealth of Kentucky, In the.....Court.
County of ....Term A. D. 19.....
In the matter of drainage
District No. .....of.....
County (or counties), Kentucky.

And now on this the.....day of.....A. D. 19..... comes on to be heard the assessment roll of benefits and damages filed by the board of appraisers in the said Drainage District No. .....of.....county (or counties), Kentucky; and the court finds that due and proper notice has been given of the filing of the same, and that the same would come on for confirmation at this time, and that the notices given have been published and posted in the manner and time required by the statute and that all owners of land and other property, both inside and outside of said district and whose land and other property will be affected by the work to be done in the said district and that everything has been done to give the court jurisdiction, and that the court has jurisdiction of the subject matter and of all land and other property involved and of all the owners thereof; and now on this day this proceeding came on regularly for trial, upon the exceptions to the report of the board of appraisers containing the assessment of benefits and damages, and it appearing to the court that the following named persons have

heretofore filed exceptions to the assessment of damages awarded in said report, to-wit: (here insert the names of all persons who have filed exceptions regarding damages to property) and thereupon there came the parties hereto and announced ready for trial of said several exceptions, whereupon the following jurors (here insert names of jurors) were tested, accepted, sworn and impaneled to try the issues joined upon the several exceptions to the report of the appraisers in the assessment of damages herein, and the jury after having heard the evidence and argument of counsel and being instructed by the court, retired to their room and afterwards returned into the court the following several verdicts (here insert each separate verdict).

It is therefore adjudged by the court that the damages to the land and other property of each of the above and foregoing persons so filing exceptions to the report of the board of appraisers be, and the same are hereby, adjudged to be as follows: (here insert the names of the said owners with a description of the land or other property respectively owned by them which will be taken or damaged, and the amount of damages awarded to each of the several exceptors, showing separately damages to and other property taken, and damages to land and other property not taken).

It further appearing to the court that the damages by said report awarded to the persons who did not file exceptions to said report and the description of their respective lands and other property are as follows: (here insert the name of each of the said owners who did not file exceptions, with the description of their land or other property damaged or taken, and the damages respectively allowed).

It is therefore considered and adjudged by the court that the true and correct amount of damages to which the said parties not filing exceptions are respectively entitled is correctly stated in said report, and it is now adjudged by the court that they and each of them be and they are hereby

awarded the damages to their respective property set opposite their respective names as above set forth. It is therefore considered and adjudged by the court that the damages to the lands and other property of the persons above named herein be, and the same are hereby, fixed at the respective amounts above set forth, and it is ordered and adjudged by the court that the Board of Drainage Commissioners of .....county, Kentucky, be, and they are hereby, ordered and directed to pay said respective sums out of any funds which may come into their hands belonging to Drainage District No. ..... of ..... county (or counties), Kentucky, available for said purpose, or make provisions for the payment thereof and secure the payment thereof to the owner before the said land or other property of such person or persons be taken, destroyed or injured, unless such person to whom the same is awarded shall waive the payment in advance. It is further adjudged by the court that if any of the persons above named to whom damages have been awarded as above herein set out, refuse to accept the amount so awarded, then the Board of Drainage Commissioners may pay said sum together with the cost for which such person has recovered judgment herein, into the hands of the clerk of the court of.....county, Kentucky, being the county where said land is situated, and take his receipt therefor, and when the said board has done so, the said board is hereby authorized to enter upon and take possession of such land or other property for the purpose of constructing the improvement thereof as provided for in the "plan for reclamation." It is provided, however, that by paying such award into the hands of the clerk of the county court shall not prevent either such landowner or Board of Drainage Commissioners from prosecuting an appeal from this judgment concerning such particular award.

It further appearing to the court that the following named persons, owning land or other property in said district (or

the Board of Drainage Commissioners, as the case may be) have heretofore filed their exceptions to the report of the board of appraisers in reference to the classification of lands and assessment of benefits, namely (here insert the name of each person who has filed exceptions to the assessment of benefits) and the court having heard the evidence offered by the said exceptors upon their said exceptions, and the evidence offered in opposition thereto and in support of said report, and the court being sufficiently advised, it is considered and adjudged by the court that the exceptions be and they are hereby (sustained) (overruled) or (modified) (as the facts may warrant). And the clerk of this court is hereby directed and ordered to show said changes, modifications, or amendments, on each copy of the report of the board of appraisers, as to the classification of land and the assessment roll of benefits and damages (if there be any such changes, modifications or amendments) and that the same be shown thereon in red ink. It further appearing to the court that all other persons who are owners of land which have been classified and other property in said district upon which benefits have been assessed, as shown in the report of the board of appraisers, who have not filed any exceptions thereto, it is considered and adjudged by the court that the said report as to said classification of lands and the amount of benefits of each of the several respective tracts of land and other property as therein set forth, are just and correct. It is further adjudged by the court that the costs incurred upon the trial of the exceptions to the report of the board of appraisers be paid as follows: (here insert decision of court relative to costs). It now appearing to the court that the estimated cost of constructing the improvements contemplated in the "plan for reclamation" is less than the benefits that will be received by the lands and other property contained in said district and that the assessment of benefits as shown by the assessment roll of assessment of benefits made by the board of

appraisers as corrected and modified by this court as above set out herein truly and correctly states the amount of benefits that will be respectively received by the several tracts and parcels of land and other property therein described from the work to be done and described in the "plan for reclamation," it is therefore ordered, considered and adjudged by the court that the said classification and assessment of benefits as shown on said roll of assessment of benefits and damages therein awarded as same has been modified, changed and corrected by the court in this judgment be and the same is now hereby severally approved and confirmed by the court and shall be and remain as the assessment of benefits to be received by the several tracts of land and other property therein contained from the work to be done in said district as shown in the "plan for reclamation" (here insert any other necessary provisions which any particular case may require).

.....Judge.

§ 19. The clerk of the court in which the proceeding is pending, and judgment is rendered, shall within ten days after the judgment is rendered, transmit to the secretary of the Board of Drainage Commissioners of the county where said proceeding is pending, each of the copies of the report of the board of appraisers, corrected in red ink, according to the provisions of the judgment of the court, attaching to each such copy of said report a certified copy of said judgment. He shall retain in his office the original copy of said report.

The secretary of the Board of Drainage Commissioners shall record the copy of the judgment in the record book of the Drainage Commissioners. He shall retain in his office two of the copies of said report and judgment, as certified to him by the clerk of the court, and shall transmit the other copies to the clerks of the county court of each county in which any part of said district is located, one copy to each clerk. The clerks of such county courts shall each receive said reports

and judgments, and endorse same, filed, and keep same as a permanent record in his office, and for which he shall receive one dollar to be paid by the district.

§ 20. When any land or other property, either inside or outside of the said district is acquired by any district under the provisions of this act, and the price of such property has been paid or secured, to the owner, or paid to the clerk of the court as above provided, by the Board of Drainage Commissioners, the title, use, possession and enjoyment shall pass from the owner to and become vested in the district, and the same shall be subject to its use, profit, employment and final disposition. The amount awarded for any land or other property acquired by any district for rights of way, holding basins, pumping stations, or other works, and the amount of damages assessed by the board of appraisers of said district and confirmed by the court as to any tract or parcel of land or other property either inside or outside of the district shall be paid in cash to the owner thereof, or upon his refusal to accept the same, to the clerk of the county court as hereinabove provided for the use of such owner, and that portion of any tract or parcel of land or other property not taken for use of the district shall be assessed for the benefits accruing thereto in accordance with the provisions of this act. If in any case the sums awarded to the owner of any land or property to be taken for rights of way, holding basins, or other work of the said district be not paid by the Board of Drainage Commissioners to the owner of such land or to the clerk as above provided within five (5) years from the date such award is finally fixed, all proceedings relating to the taking of such property for such purpose shall abate at the cost of said district.

§ 21. The Board of Drainage Commissioners shall have full power and authority to build, construct, excavate and complete all or any works and improvements which may be needed to carry out, maintain and protect the "plan for re-

clamation." To accomplish that end the said Board of Drainage Commissioners is hereby authorized and empowered to employ men and teams and to lease, rent, hire or purchase machinery, employ men to operate same and directly have charge of and construct the works and improvements, by the use of other or more efficient means than provided for in the plans adopted. They may, in their discretion, let the contract for such works and improvements, either as a whole or in sections, but before letting any contract the Board of Drainage Commissioners shall advertise for bids in the way and manner, and at the places and for the length of time which the board may by resolution determine, will be for the best interest of the district. When such contract or contracts are let, they shall be let to the lowest and best bidder, who shall give a good approved bond, with ample security, conditioned that he will well and promptly carry out the contract for doing such work and improvements, which contract shall be in writing, and to which shall be attached and made a part thereof, complete plans and specifications of the work to be done and the improvements to be made under said contract, which plans and specifications shall be prepared by the chief engineer and shall be incorporated in, or attached to, the contract, which contract shall be prepared by the attorney for the district and before the work is commenced shall be approved by the Board of Drainage Commissioners, and signed by the president and secretary of the board and the contractor, and shall be executed in duplicate. Said board may in their discretion require a certified check payable to said board to accompany any bid, as a guarantee of good faith, to be forfeited upon the failure of such bidder to execute bond with the approved surety in the event the contract for the work is awarded to such bidder, as liquidated damages. The chief engineer shall be the superintendent of all the works and improvements, and shall, whenever required, and at least once each month make a full report in writing to said board,

of all work done and improvements made and make such suggestions and recommendations to the board as he may deem proper.

It is further provided that after the clerk of the court has transmitted to the secretary of the Board of Drainage Commissioners the copies of the appraiser's report of assessment of benefits, corrected as required by the judgment of the court, together with the certified copy of the judgment as provided in the preceding section, the board may, if they deem it for the best interest of the district, borrow such sums of money as may be necessary to carry on the business and prosecute the work of the district, to the extent of not exceeding seventy-five per centum of the aggregate assessed benefits as shown by the corrected report of the assessed benefits, and to secure the payment of such sums of money as may be borrowed, said Board of Drainage Commissioners are empowered to pledge the faith and credit of said district. No money shall be borrowed under this provision for a longer period of time than the actual needs of the district may require, and in no case more than five years; nor shall they pay a greater rate of interest than six per cent per annum for the length of time said money is kept and used by said district, and shall be repaid as soon as there are sufficient funds in the hands of the treasurer collected from assessments or realized from a sale of said district bonds as hereinafter provided for.

§ 22. Within thirty days after the contract is let, to do all the work provided for and to be done under the "plans for reclamation," as confirmed by the court, or if the work or improvements are made by the Board of Drainage Commissioners by employment of men and teams, or leasing, renting, hiring or purchasing of machinery, and doing the work on force account, as they may do under this act, then, as soon as the cost of said works can be ascertained, the board shall ascertain the cost of doing all of said work, add all costs

and expenses incurred in establishing and organizing the district, including all fees to attorneys, engineers, employes, court costs and the damages which have been assessed against said district. To the total of which sums they shall add ten per centum of the sums total, for the purpose of defraying the future expenses of the district, including the salaries and fees for services to be thereafter rendered by the members of the Board of Drainage Commissioners, their agents and employees, including engineers and attorneys, and any other necessary expenses which cannot be foreseen, and any other emergencies which may arise, which aggregate sum shall be called the minimum district assessment.

Said board shall then, if bonds are to be issued and sold for and on behalf of said district, determine the length of time such bonds are to run, and calculate the total amount of interest which will accumulate upon the entire bond issue, the par value of which shall not be in excess of ninety per centum of the total minimum district assessment. The total of such interest as will accumulate during the period said bonds are to run up till maturity shall be called the district interest assessment.

Said board shall then add together the two sums, the minimum district assessment and the district interest assessment, the amount of which two sums shall constitute the "maximum district assessment."

The board shall then ascertain what per cent. the minimum district assessment is of the total assessed benefits to all lands, railroads, public highways and other property in the district, as shown by the appraiser's report, corrected by the court and certified by the clerk to the secretary of the board. In like manner said board shall ascertain what per cent the total interest assessment is of the total assessed benefits to all such lands, railroads, public highways and other property.

The Board of Drainage Commissioners shall then apportion said minimum district assessment to each separate

tract or parcel of land, railroad, public highway and other property so that each shall bear its ratable and just part of said minimum district assessment. They shall then likewise and in like manner apportion the district interest assessment to each tract and parcel of land, railroad, public highway and other property.

They shall then levy a drainage assessment upon said district for the amount of said minimum district assessment, also for the amount of said district interest assessment, and then prepare a drainage assessment record for said district, and as many copies as there are counties in which any part of said district is situated; also two additional copies, one of which shall be for the Board of Drainage Commissioners and the other to remain permanently in the office of the clerk where the proceeding is pending. Said drainage assessment record shall be arranged in substantially the following form.

DRAINAGE ASSESSMENT RECORD

of ..... (drainage), (levee) (reclamation) district, located in the county of.....in Kentucky. The Board of Drainage Commissioners of .....county, in the State of Kentucky, by virtue of the laws of the State of Kentucky, and the judgment of the .... court and the proceeding had in said court, in relation to establishing and the organization of the said (name of district) and the orders of said court confirming the report of the board of appraisers, containing the assessment of benefits, and the subsequent order of the court referring said proceedings to the board, to all of which proceedings, judgments, reports and orders of court reference is now made. Now, it having been ascertained by this board from an inspection of the report of assessed benefits by the appraisers, as certified to this board by the clerk, that the total aggregate of benefits to all of the lands, railroads, highways and other property in said district is $....., and we have ascertained that the costs of

doing the work and making the improvements provided for in the "plans for reclamation" and the costs of said proceedings in establishing and organizing said district up to this time is $....., to which sum we have, as provided by law, added ten per centum thereof for the purpose of defraying future expenses and to create an emergency fund, making the total aggregate minimum district assessment of $....., which we now hereby levy and assess against said district. It is ordered by this board that a district bond issue be and the same is now hereby authorized to the amount of ninety per centum of the aforesaid minimum district assessment of $....., to consist of 15 series of equal amount each, bearing interest at six per cent. per annum, which interest shall be payable semi-annually, one-fifteenth of said total issue of bonds shall mature and be payable annually. The first series shall become due and payable five years from the date of issue, and the last series shall become due and payable twenty years from the date of issue.

It is now ascertained that the total amount of interest which will accumulate on said authorized issue of bonds from the date of issue until maturity is and will be $....., and it is therefore ordered by this board that there be and there is now hereby levied upon the lands, railroads, public highways and other property in said district interest assessment amounting to the sum of $.....

We have and do hereby apportion both the minimum district assessment and the district interest assessment to each parcel or tract of land, railroad, public highway and other property located in said district, ratably according to the assessment of benefits as the same appears in the board of appraisers' assessment of benefits as the same was amended, modified and corrected by the court and certified to this board by the clerk of said court, which apportionment is shown in the following tables:

TABLE OF DISTRICT ASSESSMENTS.

Name of owner of land .....
Post office address .....
No. of acres of land assessed as benefited.....
In what county located .....
Total amount of benefits assessed ..... $.....
Total amount of minimum district assessment..... $.....
District assessment ..... $.....
Total amount of district interest assessment..... $.....
Total maximum assessment ..... $.....

The assessment against the railroads, public highways and other property in said district is as follows:

Name of railroad .....
Number of miles benefited and where located .....
Total amount of benefits assessed..... $.....
Total minimum district assessment, amount of..... $.....
Total interest assessment amount of ..... $.....
Maximum total assessment amount of ..... $.....
Name of public highway .....
Number of miles of road benefited and in what county located .....
Total amount of assessed benefit..... $.....
Total minimum district assessment amount of..... $.....
Total district interest assessment, amount of..... $.....
Maximum total assessment, amount of ..... $.....

The Board of Drainage Commissioners hereby submit the above and foregoing as a true and correct assessment roll upon the lands, railroads, public highways and other property subject to assessment in the.....(drainage), (levee) (reclamation) district, which shows the true and correct assessment that should be paid on each respective piece of property upon which benefits have heretofore been assessed, and pray the court to confirm same.

All of which is respectfully submitted.

Board of Drainage Commissioners of .....County,

By ....., President.

Attest: ....., Secretary.

Space for correction by clerk upon order of court.....

.....

The above is a correct assessment.

Attest: .....Clerk.

§ 23. As soon as said drainage assessment record is prepared and completed, the Board of Drainage Commissioners shall deliver to and file with the clerk of the court wherein said proceeding is pending the several copies thereof. The clerk shall receive same, and within five days thereafter he shall cause notice of such filing in this office to be published once each week for two weeks in one newspaper published in each county in which any part of said district is located. The notice shall be in substantially the following form:

"State of Kentucky, ... Court.

County of .....

In the matter of the..... .....(drainage) (levee) (reclamation) district, pending in this court, notice is hereby given to all persons interested, that the Board of Drainage Commissioners of.....county, did on the.....day of....., 19....., file in my office.....copies of the 'drainage assessment record' for the above district in which they show the aggregate costs of the improvements to be made according to the 'plans for reclamation;' also the aggregate of all benefits to property and in which they have made the 'minimum district assessment' and the apportionment thereof to each separate tract or parcel of land, railroad, public highway, and other property, together with the total of such assessments which are to be paid for and on behalf of each separate piece of property.

All persons interested are hereby notified that they may inspect same at any time, and are given until the first day of

the next.....term of this court to file exceptions to said final assessments.

Said term of court will convene on the .....day of ....., 19..... Unless you file exceptions thereto on or before said date, it will be taken for granted and confessed by the court that said assessments are correct, and that same is correctly apportioned to each separate piece of property, and same will be confirmed by the court, and thereby be and become fixed assessments upon each separate piece of property as therein set out.

Given under my hand as clerk of the .... court, on this the.....day of....., 19.....

.....Clerk."

Exceptions may be filed by any owner of land, railroad, public highway or other property assessed up to and including the first day of the next succeeding term of court wherein the proceeding is pending, which convenes after the week in which the notice by the clerk has been published the second time in the newspapers as herein provided, but not thereafter. If exceptions are filed, the same shall be heard and tried by the court in a summary way, upon the files and records of said proceedings and other competent evidence, and if errors are found by the court same shall be by proper orders corrected, and the order of the court shall direct the clerk to show such corrections on the several copies of the assessment record, same to be done in red ink, and when all errors in said assessment are ordered corrected by the court, the court shall then approve said assessment record, which final order of approval and confirmation by the court shall be final and conclusive upon all lands, railroads, public highways and other property within said district; and said assessment record, when corrected by the clerk under orders of the court, shall be endorsed by the judge of the court, as the assessment record of said district, and no question shall thereafter be permitted to be raised by any person at any time concerning the

correctness of any assessment shown in said record, but shall be final and conclusive upon all persons whatsoever, and said assessment shall be and remain a lien upon all property and the several parcels and tracts of land and other property in said district, superior to all other liens, except State, county, school and municipal taxes.

One of the several copies of the assessment record, properly corrected, and endorsed by the judge, shall remain in the office of the clerk of said court permanently. The remaining copies shall be by the clerk of said court, duly certified, and delivered by him to the secretary of the Board of Drainage Commissioners of said county wherein said proceeding is pending.

§ 24. If bonds are issued or money borrowed, the interest which accrues thereon, or which is anticipated in the levying of assessments shall not be considered a part of the costs of said improvements in determining whether or not the costs of the improvements are equal to or in excess of the benefits to the lands and other property in the district. The assessed enhancement of values, as the same is confirmed by the court shall be conclusive as to the benefits that will inure to the property in the district.

§ 25. When the secretary of the Board of Drainage Commissioners receives from the clerk the several copies of the assessment record, corrected by the court, duly certified by the clerk, he shall notify the Board of Drainage Commissioners, and they shall then meet and cause the impression of the seal of said board to be made on each and every page of each copy of said assessment record.

The secretary shall then give notice that said "assessment record," duly corrected is in his hands, and that all persons whose property has been assessed may on or before a day certain to be stated in said notice, which shall not be less than thirty (30) days, nor more than sixty (60) days, pay to the treasurer authorized to collect same, the minimum assess-

ment assessed against his property, and have the lien upon such property released. Any person desiring to do so may, on or before the day fixed in said notice, pay to the treasurer authorized to collect said assessment, the minimum assessment against any separate and distinct tract or parcel of property, and take his receipt therefor, showing the amount paid, which he shall then exhibit to the secretary of said board, who shall endorse on each copy of the assessment record in his hands in red ink the words "paid in full by .....," giving the date and sign his name thereto, which endorsement shall be just below the identical assessment so paid.

Immediately after the date fixed in said notice on which payments of said assessments may be made said Board of Drainage Commissioners shall meet and adopt a resolution, which shall be spread upon the records of said board, stating the total amount of bonds to be issued for and on behalf of said district, fixing therein the number of series, the time of payment of each series, and the denominations thereof.

§ 26. Immediately after the Board of Drainage Commissioners have adopted the resolution relative to the issue of bonds, the secretary of said board shall forthwith prepare a district assessment register, in a well bound book, and as many copies thereof as there are counties in which any part of said district is located. Said register shall contain the name of the owner of each tract or parcel of land, railroad, public highway and other property found in the report of the appraisers in the assessment of benefits, a description of the property assessed as therein described, as modified and confirmed by the court, the minimum district assessment, the interest district assessment, and the annual installment to be paid each year for and during the length of time the issue of bonds are to run, except in such cases where the minimum district assessment has been previously paid.

The district assessment register shall be in substantially the following form, viz.:

"The district assessment register of ..... District, in the county (or counties) of .....Kentucky. Whereas, the .....district, located in the counties of .....in the State of Kentucky, was duly and regularly established by orders of the.....county, and thereafter the 'plans for reclamation' of said district and the report of the board of appraisers, containing the assessment of benefits, and damages were approved and confirmed by the court, and the proceedings referred to the Board of Drainage Commissioners of .....county, to cause said improvements to be made, and to levy an assessment upon the property in said district to pay for said improvements, to issue bonds, and cause the assessment to be collected, and whereas said Board of Drainage Commissioners after ascertaining the costs of said improvements did levy a district minimum assessment and a district interest assessment, and apportion same to the several parcels of property in said district according to the ratio of benefits, which was also correct, approved and confirmed by the court, the Board of Drainage Commissioners do now certify that the following is a true and correct table of said several assessments, so levied upon, and to be paid on each separate parcel of property, together with the annual installments thereof, which shall become due and payable at the same time and place and collectable by the same person and in the same manner that State and county taxes are payable and collected. This district assessment register is, and shall be the authority of the tax collector of each county in which any part of said..... district is located for making demand and collecting the several assessments.

Name of owner .....

Post office address .....

Description of property assessed .....

... ...

... ...

In what county located .....

No. of acres .....

Amount of assessed benefits ..... $.....

Total amount of minimum district assessment..... $.....

Total amount of district interest assessment..... $.....

Total maximum assessment ..... $.....

Amount to be collected for the year 19.....

Amount to be collected for the year 19.....

Amount to be collected for the year 19.....

19....., $....., paid by ....Collector.

19....., $....., paid by ....Collector.

19....., $....., paid by ....Collector.

The collector of taxes in the county of .....is hereby ordered to collect the above assessment and pay same to the treasurer at the time required by law each year.

Done by order of the Board of Drainage Commissioners of .....county, Kentucky, on this the.....day of ....., 19.....

Attest:.....Secretary. .....President.

(Seal)."

Each assessment shall be on a separate sheet, and there shall be as many spaces prepared for the sheriff or collector to sign as there are annual payments to be made. Each sheet shall be signed by the president and attested by the secretary, and the official seal of said Board of Drainage Commissioners attached at the bottom of each page.

When the sheriff or other officer collects any annual installment of the assessments, he shall give to the person so paying same a receipt and shall also endorse same paid on the blank space in the assessment register printed for the purpose on the assessment sheet.

When the several copies of the district assessment register have been completed and signed by the president of the

board and attested by the secretary and the official seal attached to each assessment, said secretary shall deliver a copy thereof to the county court clerk in each county wherein any part of said district is located, and take his receipt therefor. The clerk shall receive same and endorse filed in his office, which shall be kept in said office as a permanent record.

§ 27. If the conditions are such in any district that in the opinion of the Board of Drainage Commissioners the interest and welfare of the owners of the property in said district will be best subserved by not requiring any part of the minimum district assessment to be collected for any number of years, not to exceed five years from the time the minimum and interest assessments are confirmed by the court, then and under such conditions the board shall by resolution fix the time when the first annual assessments shall become payable. In such cases sufficient annual assessments shall be levied and collected each year from and after the assessments are confirmed by the court up till the year the first installment of the minimum and interest assessments are due, to pay the interest on the bonds, plus the costs of levying and collecting same. Said annual interest installments shall be levied on all property in the exact ratio of the assessments confirmed by the court.

§ 28. The said Board of Drainage Commissioners shall, in the month of December of each year, certify to the sheriff or tax collector of each county in which any part of the district is located the annual installment of the assessments levied under the preceding sections, which shall become due and be collected during the succeeding year, which shall be due and collected at the same time that State and county taxes are due and collected, which said annual installment list shall be certified by said Board of Drainage Commissioners not later than January 1st of each year to the sheriff or collector of revenue of each county in which lands and other property of said district are situated. The certificate of said

installment of assessment shall be in substantially the following form:

"Commonwealth of Kentucky,

County of .....ss.

To the sheriff of.....county.

'THIS IS TO CERTIFY that by virtue and authority of the provisions of an act, creating and incorporating Boards of Drainage Commissioners, and prescribing the duties, establishment, organization and operation of drainage, levee and reclamation districts, the assessment of benefits and damages, and providing for the collection of the costs and expenses thereof, the Board of Drainage Commissioners of..... county, Kentucky, for and on behalf of drainage district No. .....of.....county (or counties), Kentucky, has levied and does hereby levy the sum of $..... as the annual installment of assessments for the year 19....., of the total assessment levied under the provisions of said act, which said total assessment has heretofore been certified to the clerk of the county court of your county, and said Board of Drainage Commissioners of said county, for and on behalf of the said drainage district, by and under the authority of the same act, hereby levy also the sum of $....., as a maintenance assessment for said year; said annual installment of assessment and maintenance assessment on the land and other property situated in your county are set out in the following table, in which are: First, the names of the owners of said lands and other property as they appear in the district assessment register; second, the amount of said installment of the assessment levied on said tract of land and other property due and collectable for the year 19.....; third, the said amount of maintenance assessment levied against the same. The said assessment shall be collectable and payable at the same time that State and county taxes are due and collected, and you are hereby directed and ordered to demand and collect the said assessments at the same time you demand and collect the State and

county taxes due on the same lands and other property in said drainage district. This certificate shall be your warrant and authority for making such demand and collection.

Then shall follow a table or schedule showing in properly ruled columns: First, the names of the owners of said lands and other property as they appeared in the district assessment register; second, a brief description of the said lands and other property opposite the names of said owners; third, the amount of said annual installment of assessment on each tract of land or other property; fourth, the amount of maintenance assessment; fifth, a blank column in which the collector shall record the several amounts as collected by him; sixth, a blank column in which the collector shall record the date of payment of the different sums; seventh, a blank column in which the collector shall record the name of the person or persons paying the several amounts. The columns in which the annual installment of the assessment and the maintenance assessment, if any appear, shall be correctly totaled and the total amount shall correspond to the amount set out in the above mentioned certificate. The said certificate and table shall be prepared in the form of a well bound book which shall be endorsed and named 'Collector's Drainage Assessment Book, Drainage District No..... of.....county (or counties), Kentucky, for the year 19.....,' which endorsement shall also be printed on the top of each page in said book. At end of the table of assessments there shall be written or printed these words: 'Done by order of the Board of Drainage Commissioners of..... county on this ..... day of....., 19.....

Attest: .....Secretary. .....President.

(Seal).' ''

§ 29. All drainage assessments provided for in this act, together with all penalties for default in payment of the same and all costs in collecting the same shall from the date of filing the district assessment register herein described in

the office of the clerk of the county court for the county or counties wherein the lands and other property are situated, until paid, constitute a lien, to which only the lien of the State for general State, county, school and road taxes shall be paramount, upon all the land and other property against which such assessments shall be levied as is provided in this act.

§ 30. It shall be the duty of the sheriff or tax collector of each county, in which lands or other property of any district organized under this act are situated, to receive the "Collector's Drainage Assessment Book" each year, and he is hereby empowered and it shall be his duty to promptly and faithfully collect the assessments which shall become due and payable on the lands and other property therein set out, and to exercise all due diligence in so doing. He is further directed and ordered to demand and collect such assessments at the same time that he demands and collects State and county taxes due on the same land and other property. Where any tract or part thereof has been divided or sold or transferred, the sheriff shall receive assessments on any part of any tract, piece or parcel of land or other property, charged with such assessments and give his receipt accordingly and show therein upon what part of such land or property the assessment has been paid. The collector's drainage assessment book shall be the warrant and authority of the sheriff for making such demand and collection. The sheriff shall make due return of all "Collectors' Drainage Assessment Books" each year to the secretary of the Board of Drainage Commissioners issuing the same and shall pay over and account for all moneys collected thereon each year to the treasurer of said district at the same time when he pays over State and county taxes. If the assessment has not been paid to the sheriff or collector on any parcel of land or property described in the assessment register certified to him on or before the first day of December of the year for which the assessment is due, a penalty of six per centum shall automatically attach thereto, on and

after said date, which shall be added to the assessment against such parcel or parcels of land on which the assessment has not been paid, to be collected by the sheriff in the same manner that the assessment is collected; and, unless so paid, the sheriff shall, on the first day of the next January term of the county court in the county wherein said land or property assessed is located, sell said land or property or so much thereof as may be necessary to pay and satisfy such assessment, penalty and costs and expenses of selling the same; said sale shall be for cash. Before making any such sale he shall notify the owner of such land in writing that said land will be sold, by posting a copy of such notice of sale on the land to be sold and at three (3) other public and conspicuous places in the vicinity where said land is located, which notice shall contain the description that is given in the "District Assessment Register" on file in the county court clerk's office of his county, and it shall contain a statement of the amount of the assessment due on said land or property for such year, together with the amount of the penalty due thereon, and a statement of the costs and expenses of making such sale, which costs shall be five dollars. Said notice shall be posted for at least fifteen (15) days immediately preceding the day on which it is to be sold, and a copy thereof shall likewise be posted for the same length of time at the court house door in the county where the land to be sold is situated. Said notice shall also be published in a newspaper published in the county where said land is located, if there be any newspaper so published in the county. If there is no newspaper published in said county, then the posting of notices above provided for shall be deemed sufficient. The sales of land and other property by the sheriff for the assessments, penalties, costs and expenses of making sale shall be made in the same manner and have the same force and effect as sales of land or other property for State and county taxes, and subject to redemption by the owner within the time, on the

terms, under the penalties, and upon the same conditions that are now or may hereafter be provided by general law for the redemption of land or other property sold by the sheriff for State or county taxes. When any land or other property is sold for the assessment herein provided for, if no one will bid for and purchase and pay for such property so offered for sale, the amount of the assessment, penalty, interest and costs, including the costs for advertising such sale, it shall be the duty of the sheriff making such sale to purchase same for the Board of Drainage Commissioners of the county where such drainage, levee or reclamation district, where same was established to which such assessment is due and owing, and he shall make report of such fact to the clerk of the county court of the county in which such lands or property is located, as required by law in such cases under sales to the State and county for State and county taxes. He shall also certify such facts in like manner to the secretary of the Board of Drainage Commissioners of the county wherein such drainage, levee or reclamation district was organized, which report shall be received and kept by the secretary of such board and recorded by him in the general drainage record book so kept by him. The purchaser of any such lands or property at such sales shall take said property subject to the future assessments to be levied against said property for making the improvement. The purchaser of any land or property at such sale as herein provided shall acquire, have and hold the same, estate, right, title, lien upon and interest in lands or property so purchased that purchasers of land or property acquire at sales of lands for State and county taxes, subject alone to the provisions of this act. If lands or other property sold by the sheriff for their assessment be not redeemed by the owner within the time allowed by law, the sheriff making such sale or his successor in office shall make, execute and deliver to the purchaser a deed of conveyance to the property sold as in cases where lands have been sold for State and county taxes,

which deed shall have the same force and effect as sheriffs' deeds for State and county taxes. The right, title and interest in and lien upon lands acquired under a purchase of lands hereinabove provided for at sheriffs' sales may be enforced in any court of equity having jurisdiction under the general laws of this Commonwealth by the purchaser of such lands, including the Board of Drainage Commissioners, who shall purchase same at any such sheriff's sale above provided for herein.

§ 31. The treasurer of the Board of Drainage Commissioners in any county shall hold the office of treasurer of all districts organized in that county, and he shall receive and receipt for all the drainage assessments collected by the sheriff or county collector or collectors of the revenue. Said treasurer shall give bond in such amount as shall be fixed by the Board of Drainage Commissioners, conditioned that he will well and truly account for and pay out, as provided by law, all money received by him as assessments from the sheriff or county collectors, and from any source whatever or any account or claim of said district, which bond shall be signed by at least two sureties or by a surety company, approved and accepted by the said Board of Drainage Commissioners, and said bond shall be in addition to the bond for proceeds of sales of bonds, which is required by a subsequent section of this act; said bond shall be placed and remain in the custody of the president of the Board of Drainage Commissioners and shall be kept separate from all papers in the custody of the secretary or treasurer. Said treasurer shall keep all funds received by him from any source whatever deposited at all times in some bank, banks or trust company, to be designated by the Board of Drainage Commissioners. All interest accruing on such fund shall, when paid, be credited to the district. It shall be the duty of the Board of Drainage Commissioners to have audited the books of said treasurer of said district by a competent accountant duly appointed by them, as

of the 31st day of December in each year, and shall file a copy of the Auditor's report with the clerk of the court where the district was organized, and publish a statement within thirty (30) days thereafter, showing the amount of money received, the amount paid out during such year, and the amount in the treasury at the beginning and end of the year. The aforesaid treasurer of the district shall pay out funds of the district only on warrants issued by the Board of Drainage Commissioners. Warrants shall be issued only on the order of the Board of Drainage Commissioners at a regular meeting of the board of which a record shall be kept and all of said warrants shall be signed by the president of the Board of Drainage Commissioners and attested by the signature of the secretary. All warrants shall be in substantially the following form:

"$..... Fund..... No. of warrant.....
Treasurer of Drainage District No. ..... of.....
county (or counties), Kentucky.
Pay to.....dollars out of the money in
.....fund of said district. For.....
By order of Board of Drainage Commissioners of.....
county. This.....day of....., 19.....
Seal .....
President of Board of Drainage Commissioners of .....County.
Attest: .....Secretary."

§ 32. In order to effect the drainage, protection and reclamation of the land and other property in any district organized under this act subject to assessment, the Board of Drainage Commissioners having control of the same is authorized and empowered to clean out, straighten, widen, change the course and flow, alter or deepen any ditch, drain, sewer, river, watercourse, pond, lake, creek, bayou or natural stream in or out of said district; to fill up any creek, drain, sewer, channel, river, watercourse or natural stream; and to

concentrate, divert or divide the flow of water in or out of said district; to construct and maintain any lateral ditches, sewers, levees, dikes, dams, sluices, revetments, reservoirs, holding basins, floodways, pumping stations and syphons and any other work and improvements deemed necessary to preserve and maintain the works or prevent overflow of lands, cities, towns, municipalities or parts thereof in or out of said district; to construct or enlarge or cause to be constructed or enlarged any and all bridges that may be needed in or out of said district across any drain, ditch, sewer, canal, floodway, holding basin, excavation, public highway, railroad right of way, track, grade, fill or cut; to construct roadways upon, along, with and over levees and embankments; to construct any and all of said works and improvements across, through or over any public highway, railroad right of way, track, grade, fill or cut in or out of said district; to remove any fence, building or other improvements in or out of said district, and shall have the right to hold, control and acquire by donation or purchase, and if need be, condemn any land, easement, railroad right of way, sluice, conduit, sewer, holding basin or franchise in or out of said district for right of way, holding basin, pumping station, power house, or for any of the purposes herein provided for, or for material to be used in constructing and maintaining said works and improvements for drainage or protecting from overflow and reclaiming the lands and property of said district. Said Board of Drainage Commissioners shall also have the power and authority to hold and control all water power created by the construction of works of said district, and shall have power to construct and maintain hydro-electric power plant or plants for the purpose of developing such power for the use of said district, and to use any funds in the treasury of said district not otherwise appropriated for the construction and maintenance of such power plant or plants, and the said Board of Drainage Commissioners shall have the right and authority

to lease any surplus power in excess of that required for the uses of said district, and the proceeds of such lease or leases shall be converted into the treasury of said district. Said board shall also have the right to condemn for the use of the district any land or property within or without said district not acquired or condemned by the court on the report of the Board of Appraisers assessing benefits and damages and shall follow the procedure that is now provided by law for the appropriation of land or other property taken for railroad rights of way.

§ 33. The Board of Drainage Commissioners within thirty (30) days after any district has been organized and referred to it shall employ an attorney to act for the district and to advise said board. Such attorney shall conduct all legal proceedings and suits in court, where the district is a party or interested, and shall, in all legal matters, advise the said Board of Drainage Commissioners, all officers, employes or agents of said district and board, and generally look after and attend to all matters of a legal nature for said board and district. When the said board may deem it necessary, they may, by and with the advice of said attorney, and under the like terms and conditions as above set forth, employ other attorneys.

§ 34. The Board of Drainage Commissioners shall cause to be kept a well bound book, entitled, "Record of Board of Drainage Commissioners of ..... County, Kentucky," in which shall be recorded the minutes of all meetings, proceedings, certificates, bonds given by all employes and any and all accounts and expenditures allowed and orders paid and any and all corporate acts in reference to the said drainage district, which record or records shall at all times be open to the inspection of any one interested, taxpayer or bondholder.

§ 35. The Board of Drainage Commissioners acting for any drainage district shall have the power and is required to

make all necessary bridges and culverts along or across any public highway or railroad which may be deemed necessary for the use or the protection of the work of reclamation in said district, except as herein provided. If any bridge or culvert of any railroad or other corporation exercising or carrying on its business under a franchise, be across any natural water course, drain or depression in the earth which is being enlarged, deepened, widened or improved by any district organized under this act, and it is necessary to do any work under said bridge or culvert, or if it be necessary that a wider or larger bridge or culvert be put in at the point where the old bridge or culvert exists, the Board of Drainage Commissioners having the said drainage district in charge shall give such railroad company or other corporation notice by delivering to its agent or officer in any county wherein said district or any part thereof is situated a copy of the order of the Board of Drainage Commissioners having charge of said district declaring the necessity of removing, constructing or enlarging any such bridge or culvert, it shall then be the duty of said railroad company, county, or other such corporation to remove, construct or enlarge such bridge or culvert within the time specified in such order and notice, which shall be not more than thirty (30) days and a failure on the part of such railroad, county or other corporation to so remove, construct or enlarge such bridge or culvert within such time shall be taken as a refusal to do said work. Such bridges or culverts shall be constructed so as not to interfere with the free flow of water through the drains of the district. Should any railroad company, county or other such corporation, after first being notified to remove, construct or enlarge any such bridge or culvert, refuse or neglect to remove, construct or enlarge any such bridge or culvert as required, then the Board of Drainage Commissioners may cause the same to be removed, constructed or enlarged, and to that end the said Board of

Drainage Commissioners shall proceed to let the work of removing, constructing or enlarging such bridge or culvert according to plans and specifications to be provided therefor at the expense of the railroad company, county or other such corporation; but before the said board shall proceed to let the work for removing, constructing or enlarging such bridge or culvert, it shall first advertise that said work will be let to the lowest bidder by posting written or printed hand bills at three (3) or more public and conspicuous places in the vicinity where such bridge or culvert is to be removed, built or enlarged, for at least ten (10) days just before the letting of said work, which notice shall state the time and place and character of the bridge or culvert to be removed, constructed or enlarged. The Board of Drainage Commissioners shall pay for the removal, construction or enlargement of such bridge or culvert, but shall then recover the cost and expenses thereof from the railroad company, county or other corporation, whose duty it was to remove, construct or enlarge the same, which may be recovered in any court in this Commonwealth having jurisdiction. Both the Board of Drainage Commissioners and the railroad company, county or other corporation shall have the right of appeal from any judgment rendered in any such action or proceeding to recover the cost and expenses of removing, constructing or enlarging of any such bridge or culvert as provided for individual land owners. The right on the part of the Board of Drainage Commissioners to cause the said bridge or culvert to be removed, constructed or enlarged shall not deprive the said Board of Drainage Commissioners from compelling the said railroad, county or other corporation to remove, construct or enlarge the same by proper proceedings therefor, and the writ of mandamus may be issued on a proper petition therefor to compel the same.

§ 36. Where any canal, ditch, sewer, drain or other work of straightening, widening, enlarging or deepening any

channel or water course in any drainage, levee or reclamation district is on the line of any natural depression or water course which crosses any public highway or road where there is no bridge or culvert or opening in such road or highway of sufficient capacity to allow the flow of the water in such canal, ditch or watercourse, as straightened, widened, enlarged or deepened, it shall be the duty of the Board of Drainage Commissioners to give notice to the road commissioners or road engineer to construct or enlarge such bridge or culvert in such road or public highway for such canal, ditch or water course giving to such road commissioner or engineer the dimensions required, whereupon it shall be the duty of the road commissioners or engineers of such county within thirty days from the time such notice is served upon him to construct or enlarge such bridge, culvert or opening in said public road or highway, but if he shall fail or refuse to do so, then the Board of Drainage Commissioners shall construct or enlarge such bridge, culvert or opening in said public road or highway at the expense of the county in which same is located and the fiscal court of such county shall reimburse the Board of Drainage Commissioners for the cost and expenses of constructing or enlarging such bridge or culvert or opening, and upon the refusal of such fiscal court to make provisions for and reimburse the Board of Drainage Commissioners as herein provided the Board of Drainage Commissioners may enforce their right in any such matter in any court having jurisdiction of the subject matter.

§ 37. Where any ditch, canal, sewer or drain shall be constructed in any drainage, levee or reclamation district under the provisions of this act, which crosses any railroad right of way or the right of way of any corporation acting under a franchise, at any place other than at a natural depression in the earth, or water course, it shall be the duty of the said railroad or corporation to build and construct the bridge or culvert necessary to be constructed at the point where re-

quired, and the expense thereof shall be borne by the said district to be paid as part of the damages for the right of way in going across the said railroad right of way and to be included in the judgment entered therefor, but it shall be the duty of the railroad company or such corporation to thereafter maintain the said bridges or converts, and to make all changes therein that may be necesary to be made from time to time.

§ 38. Any warrant issued under this act that is not paid when presented to the treasurer of the Board of Drainage Commissioners of the district, because of lack of funds in the treasury, such fact shall be endorsed on the back of such warrant and such warrant shall draw interest thereafter at the rate of six per cent per annum, until such time as there is money on hand to pay such warrant and the interest then accumulated, but no interest shall be allowed on warrants after such time when sufficient funds are in the treasury to pay said endorsed warrants and interest.

§ 39. No change of venue shall be allowed in any of the proceedings had under the provisions of this act. Where the regular judge of the court in which any proceeding is pending under the provisions of this act shall be disqualified for any reasons under the general laws of this Commonwealth, or if the regular judge of the court shall at any time when any proceedings under the provisions of this act stand for a hearing or trial upon any matter, be interested, sick or absent or unable for any reason to preside, then the court shall be held, and all hearings had and orders made and a judgment rendered, by a special judge, as in other civil actions under the general laws of this Commonwealth, and all orders, decrees and judgments so rendered shall have the same force and effect as if made or rendered by the regularly qualified and acting judge of the court had he been present, or had not otherwise been disqualified.

§ 40. All officers performing services in proceedings under the provisions of this act shall receive the same fees as are allowed by the statute for like services and no other. Attorneys-at-law, selected by the petitioners to prepare and file ex parte petitions for the establishment of drainage, levee or reclamation districts, which are established under the provisions of this act, shall faithfully perform the duties of attorney in such proceedings, attend to the preparations of all reports of the viewers, and do such other things that may become necessary up until the time when the proceedings are heard upon the exceptions to the viewers' preliminary report, and judgment is rendered thereon, establishing or refusing to establish such district, at which time his duties shall cease.

If the district is established it shall be the duty of the court so organizing same to allow to such attorney so representing the petitioners in having the district established a reasonable fee for the services actually rendered, the same is to be taxed as a part of the general cost in the proceeding, and paid by the Board of Drainage Commissioners out of the funds belonging to the district when funds come into their hands.

The Board of Drainage Commissioners, except where otherwise provided, shall by resolution, at time of employing or appointing any person to render services, provide for the compensation for work done and necessary expenses incurred by any officer, engineer, attorney or other employe, and said board shall pay the fees, per diem and necessary expenses of all court and county officers who may by virtue of this act render services to said district.

The compensation to be paid the engineer constituting one of the board of viewers shall be fixed by the court at or before the time of his appointment, by order entered of record. The other viewers and members of the Board of Appraisers shall receive for their services the sum of five dollars per day for the time actually engaged in performing their

duties. Rodmen, chain carriers and other laborers employed in the works shall receive three dollars per day for their services. Fees or compensation for any service not herein fixed or provided for shall be reasonable and fixed by the Board of Drainage Commissioners. The fees of the secretary of the board shall be three dollars per day for attending the meetings of the Board of Drainage Commissioners and ten cents per one hundred words for matters required to be written or recorded by him. The fees of the treasurer shall be one per centum for receiving and disbursing funds under the control of said Board of Drainage Commissioners. He shall make no disbursements of any drainage funds whatever except upon a warrant issued by the Board of Drainage Commissioners.

§ 41. The word "owner" as used in this act shall mean the owner of the freehold estate, and it shall not include reversions, remaindermen, trustees or mortgagees, who shall not be counted and it shall not be necesary for the clerk to give notice to any person except such owner, but all interest shall be represented by the present owner of the freehold estate in any proceeding under this act. This provision shall not apply to proceedings for condemnation, which shall be governed by the general law. The word "owner" shall also include railroads, counties and other corporations, including municipal corporations controlling streets or public highways affected by the work to be done in any drainage, levee or reclamation organized under this act. All persons or corporations who acquire rights in any land or other property after the establishment of any district, or the assessment of damages or benefits, or after the giving of any notice, or during the pendency of any proceeding provided for herein, shall be bound by the establishment, organization, assessment, notice and preceding the same as the original owner thereof and shall take the land or other property subject thereto. The word "person" when used in this act shall include individ-

uals, counties, co-partnership, corporations, railroads, municipal corporations and quasi-municipal corporations.

§ 42. The Board of Drainage Commissioners may, if in their judgment it seems best, issue bonds on behalf of any drainage district under their control not to exceed ninety per-cent of the total amount of the minimum district assessments levied upon the land and other property of said district under the provisions of this act approved by the court in denominations of not less than one hundred dollars, bearing interest from the date of issue at a rate not to exceed six per cent per annum (such interest payable annually) to mature at annual intervals within thirty years, commencing after a period of years not later than five years, to be determined by the Board of Drainage Commissioners, both principal and interest payable at some convenient banking house or trust company's office, to be named in said bonds, which said bonds shall be signed by the president of the Board of Drainage Commissioners, attested with the seal of said board and by the signature of the secretary of the said Board of Drainage Commissioners and countersigned by the clerk of the county court of the county in which the district is organized. All of said bonds shall be executed and delivered to the treasurer of said district, who shall sell the same in such quantities and at such dates as the Board of Drainage Commissioners may deem necessary to meet the payments for the works and improvements in the district. The secretary of the Board of Drainage Commissioners shall certify to the clerk of the county court in which the district was organized a copy of the resolution authorizing and directing the issuance of said bonds, which shall contain a list of the said bonds, with the respective dates of maturities and amounts thereof, and the said clerk of the county court shall record said resolution in his lis pendens record in his office and shall countersign each and all of the said bonds before they are issued, and delivered to the treasurer. Said bonds shall not be sold for less than

their par or face value at the date of issual; they shall show on their face the purpose for which they are issued, and shall be payable out of money derived from the aforesaid assessments. A sufficient amount of the drainage assessment shall be appropriated by the Board of Drainage Commissioners for the purpose of paying the principal and interest of the said bonds, and the same shall, when collected, be preserved in a separate fund for that purpose and no other. All bonds and coupons not paid at maturity shall bear interest at the rate of six per cent per annum from maturity until paid, or until sufficient funds have been deposited at the place of payment, and the said interest shall be appropriated by the Board of Drainage Commissioners out of the penalties and interest collected on said assessments or any other available funds of the district. It shall be the duty of the said Board of Drainage Commissioners in making the annual levy of assessments as hereinbefore provided, to take into account the maturing bonds and interest on all bonds and to make ample provisions in advance for the payment thereof. In case the proceeds of the original levy of assessments made under the provisions of this act are not sufficient to pay the principal and interest of all bonds issued, then the Board of Drainage Commissioners shall make such additional levy or levies upon benefits assessed as are necessary for this purpose, but under no circumstances shall any levies of assessments be made in excess of the benefits to the lands or other property as shown by the report of the Board of Appraisers, as corrected and confirmed by the court, that will in any manner or to any extent impair the security of said bonds or the fund available for the payment of the principal and interest of the same. Said treasurer shall, at the time of the receipt by him of said bonds, execute and deliver to the president of the Board of Drainage Commissioners of the said district, a bond with good and sufficient sureties to be approved by the said Board of Drainage Commisioners, conditioned that he shall account for and

pay over as required by law and as ordered to do by the said Board of Drainage Commissioners any and all money received by him on the sale of such bonds, or any of them, and that he will only sell and deliver such bonds to the purchaser or purchasers thereof under and according to the terms herein prescribed, and that he will return canceled any and all bonds not sold to the Board of Drainage Commissioners when ordered by said board so to do, which said bond or bonds shall remain in the custody of the said president of said Board of Drainage Commissioners, who shall produce the same for inspection or for the use as evidence whenever and wherever legally required to do so. The said treasurer shall promptly report all sales of bonds to the Board of Drainage Commissioners, which board shall, at reasonable times thereafter, prepare and issue warrants in substantially the form provided for in this act for the payment of the maturing bonds so sold and the interest payments coming due on all bonds sold. Each of said warrants shall specify what bonds and accruing interest it is to pay, and the treasurer shall place sufficient funds at the place of payment to pay the maturing bonds and coupons when due, as well as a reasonable compensation to the bank or trust company for paying same, not to exceed $2.50 for each one thousand dollars ($1,000.00) par value of bonds or coupons paid. The successor in office of any such treasurer shall not be entitled to said bonds or the proceeds thereof until he shall have complied with all the foregoing provisions applicable to his predecessor in office. The aforesaid bond of said treasurer may, if the said board shall so direct, be signed by a surety or bonding company, which may be approved by the said Board of Drainage Commissioners. The funds derived from the sale of said bonds or any of them shall be used for the purpose of paying the cost of the reclamation works and improvements and such costs, expenses, fees and salaries as may be authorized by law and shall be used for no other purpose.

§ 43. To maintain and preserve the ditches, sewers, drains, levees, pumping stations, power plants, or other improvements made pursuant to this act, and to strengthen, repair and restore the same, when needed, and for the purpose of defraying the current expenses of the district, the Board of Drainage Commissioners may, upon the completion of said improvements, and on the first Monday of December in each year thereafter levy an assessment upon each tract or parcel of land and other property within the district to be known as a "Maintenance Assessment." Said maintenance assessment shall be apportioned upon the basis of benefits assessed on account or original construction, shall not exceed ten per cent thereof, in any one year, and shall be certified to the sheriff or collector of the revenue of each county in which lands of said district are situated in the same book, in like manner, and at the same time as the annual installment of assessment is certified, but in a separate column under the heading "Maintenance Assessment." Said sheriff or collector shall demand and collect the maintenance assessment and make return thereof and shall receive the same compensation therefor and be liable for the same penalties for failure or neglect so to do as is provided herein for the annual installments of assessments. The "Maintenance Assessment" shall be due and payable at the same time each year that the other assessments of the district due that year are payable, shall bear the same penalties and shall be collected at the same time, and shall be enforced in the same manner.

§ 44. Where the work set out in the "Plan for Reclamation" of any district is found insufficient to reclaim in whole or in part any or all of the land and other property of the district the Board of Drainage Commissioners shall have the right to formulate new or amended plans containing new ditches, levees, sewers, drains, or other works or providing for the enlargement of existing ditches, sewers, levees, or other works, and additional assessments may be made in conformity with the provisions of this act, the same to be made

in proportion to the increased benefits accruing to the lands and other property because of the additional works. If it should be found at any time that the amount of total assessments, levied under the provisions of this act are insufficient to pay the cost of works set out in the "Plan for Reclamation" or additional work done under the provisions of this section, the Board of Drainage Commissioners may make an additional levy or levies to provide funds to complete the work. Provided, the total of all levies of such assessments shall not exceed the total amount of benefits assessed, as approved and confirmed by the court.

§ 45. Any person, or corporation, co-partnership or other parties owning land and other property assessed for the construction of any ditch or other improvement under the provisions of this act shall have the privilege of paying such assessment to the treasurer of the Board of Drainage Commissioners at any time on or before a date to be fixed by the Board of Drainage Commissioners, and the amount to be paid shall be the full amount of the assessment levied, less any amount added thereto to meet interest. When such assessment has been paid the secretary of the board shall enter upon the district assessment record opposite each tract for which payment is made the words "Paid in full" and such assessment shall be deemed satisfied, and the secretary of the Board of Drainage Commissioners shall also make or cause to be made the same entry opposite each tract for which payment is made in the table included in the certificate filed in the office of the clerk of the county court, under the provisions of this act; but such payment shall not prevent the levying of additional assessments or maintenance assessments against said tract as herein provided for.

§ 46. The Board of Drainage Commissioners, for and in behalf of any drainage or levee district organized under the provisions of this act, or the owners of land or other property adjacent to such district, who shall desire to have their

lands or other property annexed and made a part of such district, shall have the right to file a petition in the office of the clerk of the court organizing said district praying the court to amend its former judgment organizing the district, by correcting the names of land owners, by striking out any such names, by adding to, striking out or correcting the descriptions of any lands or other property within or alleged to be within the boundary of any such district, or in any other manner to amend its judgment; said petition may ask permission of the court to amend or change the "Plan for Reclamation" or to correct any errors, omissions, or other mistakes that have been discovered in the "Plans for Reclamation," or in the petition for the organiation of the district, and may ask that the boundary lines of the said district be extended so as to include lands not described by or included in the judgment of the court organizing the district. If such petition asks the court's permission to change the "Plan for Reclamation" or that the boundary lines of such district be in any manner changed, it shall also ask the court to appoint three appraisers as provided for under the provisions of this act for the original proceedings, to appraise the land that shall be taken for rights of way, holding basins, pumping stations, power houses or other works, or assess the benefits and damages to any or all lands, public highways, railroad and other property already in the district or that may be annexed to the district by the proposed amendments and changes to the "Plan for Reclamation" or the proposed change in the boundary lines of said district. As soon as the petition shall have been filed, the clerk of the court shall give notice of such fact in the manner and for the time provided for in the preceding sections, of this act, said notice to be substantially in the following form:

"..... Court

"Commonwealth of Kentucky,

To..... Greeting:

(name owner of land)

"To the owners and all persons interested in the lands and other property in and adjacent to drainage (or levee) district No..... of..... County (or counties), Kentucky.

(Here insert the names of all persons who are shown in the petition to own land sought to be annexed to the district.)

"You, and each of you are hereby notified that (here state by whom petition was filed) has filed in the office of the clerk of the..... court, a petition praying said court for permission to (here insert the prayer of said petition) (and if it contains a prayer to annex certain lands, describe the said lands), and unless you show cause to the contrary on or before the next term of the..... court to be held on the..... day of..... 19....., the prayer of said petition may be granted.

"This..... day of..... 19.....

..... Clerk."

§ 47. Any owner of land or other property located in the district, or any owner of land or property located outside the district that will be affected by the proposed changes, amendments and corrections enumerated in the petition, shall have the right to file objections to the granting of the prayer of the said petition on or before the first day of the term of court at which the petition is to be heard. The court will hear such petition and all objections that may have been filed against said petition in a summary manner and enter its judgment according to its findings. The clerk of said court shall, within fifteen (15) days after the entering of such judgment, transmit a certified copy of said judgment and a copy of the petition to the secretary of the Board of Drainage Commissioners, who shall transmit a copy of the same to the clerk of each county court of each county in which any

land or other property in the district is located. Each such clerk shall file and preserve the same in his office, and for such filing and preserving he shall receive a fee of one dollar ($1.00). If said judgment of the court provides that the "Plan for Reclamation" be amended, changed or corrected or the boundary lines of said district extended, the court shall direct the Board of Appraisers to appraise the property to be taken, assess benefits and damages and estimate the cost of the improvements, the same as is required of the board acting under the provisions of this act. Said appraisers shall make their report in writing and file the same with the clerk; after which the same shall be proceeded with in the same manner as is now provided for in the original formation of districts and judgment rendered accordingly: Provided, that if the petition be dismissed the party or parties filing such petition shall pay the costs, but if the petition be sustained in whole or in part the objectors shall pay the costs.

§ 48. The owner of any land that has been assessed for the cost of the construction of any ditch, sewer, drain, canal or water course, as herein provided, shall have the right to use the ditch, drain or water course as an outlet for lateral drains from said land; and if said land is separated from the ditch, drain, canal or water course by the land of another or others, and the owner thereof shall be unable to agree with said other or others as to the terms and conditions on which he may enter their lands and construct said drain or ditch, he may file his ancillary petition in such pending proceeding to the court, and have the same condemned in the same manner as now or as may hereafter be provided for the condemnation of right of way by railroads. When the ditch is constructed, it shall become a part of the drainage system and shall be under the control of the Board of Drainage Commissioners and be kept in repair by them as herein provided.

? 49. The Board of Drainage Commissioners shall keep or cause to be kept a true and correct account of the time spent by them, by the engineer, superintendent and all other

employes, and of each item of expense incurred, upon or in connection with any district, or system of drainage, and charge the same to the district or system for which the same was done. Where the time or work is upon more than one district at the same time, it shall be apportioned between them. In the event any compensation fixed by the board for superintendent or other employe is on a salary basis, such salary shall be apportioned by the board in such manner as shall seem to them equitable, and charged to and paid out of the funds to the credit of the several districts or systems of improvement under their charge. On the first Monday of December of each year, all officers shall make report in detail to the Board of Drainage Commissioners. The clerk of the court in which the proceedings are had shall perform duties as herein required without delay and on failure so to do will be subject to a fine of not more than one hundred dollars.

§ 50. If the "Plan for Reclamation" in any district, established or organized under this act, consists in part the drainage of the lands within said district by any means whatsoever, and in part the prevention of overflowing lands within the district from any river, stream or other body of water coming from without the district, by means of levees, embankments or otherwise, any natural or artificial stream, drain, cut or depression in the ground, or natural or constructed fill, levee or embankment may be used as any part of the reclamation system by enlargement, strengthening or otherwise improving the same for the benefit and use of said district: Provided, that in so doing, any such stream, drain, cut, depression in the ground, fill, levee or embankment which may be used or employed in constructing the system of reclamation for said district, whether same has been constructed by any person, firm, co-partnership, public or private corporation, city, town, county or municipal corporation, shall not be destroyed, injured or impaired for the purpose for which same was designed, constructed or is being used, or is capable of being used by such owner, but same may be so employed

and used in the plans for reclamation, if the efficiency thereof to the owner be not destroyed, injured or impaired.

§ 51. The Board of Drainage Commissioners may appoint a competent person as superintendent of drainage, who shall be subject to the orders of the board, and who shall look after and keep clean, open and in good condition, all public ditches, sewers, drains, creeks, levees and other improvements, established under this or any pre-existing law, or under the charge of said board. Such person shall furnish bond to be approved by the board, in such penal sum as the board shall prescribe, conditioned upon the honest and faithful performance of his duties, the same to be in favor of the Board of Drainage Commissioners and for the benefit of any party in interest. If no superintendent is appointed, the work herein provided for may be done by the chief engineer, or such other employes of the Board of Drainage Commissioners, as the board may order or direct. Such superintendent of ditches, with the approval and consent of the Board of Drainage Commissioners, may employ such labor and assistants in the performance of his duties as may be necessary. All expenses incurred shall be reported by such superintendent or other employe, to the Board of Drainage Commissioners, in which report shall be shown the ditch, drain or other improvement upon which said work was done, or expense incurred.

§ 52. Any person who shall acquire title, by purchase, devise, inheritance or otherwise to any land or other property affected by any proceeding under this act, after the filing of the petition for the establishment of any drainage, levee or reclamation district and the giving of notice thereof by the clerk of the court wherein the petition is filed as herein provided for, shall be deemed privy to the person owning or in possession under claim of ownership at the time of filing such petition, and shall be bound by all proceedings thereafter had under this act to the same extent as such owner at that time would have been bound, if he had remained the owner. The land and other property assessed shall in each instance be

liable for the assessment against it, and each assessment and each installment of any assessment shall be paid by the owner in possession at the time such assessment or any installment thereof becomes due. Any land assessed for benefits under this act, in which one or more persons own the life estate, with the remainder to some other person or persons, shall be assessed as any other land by the appraisers, and the name or names of both the life tenants and the remaindermen reported, if known, but the remaindermen or reversioners need not be brought before the court otherwise than as herein provided by the notice provided for herein. The assessment shall be levied against each tract of land and may be paid by either the life tenant or the remaindermen, and when so paid, the owner or owners for life or in remainder, as the case may be, shall be liable to the one so paying the assessment for such proportion of the amount paid as his interest in the property bears to the total property assessed according to the life tables at the time in use in this Commonwealth, to secure which the person so paying the same shall have, for his own benefit, the same lien that is herein provided for the original assessment or tax, which may be enforced by action in any court of competent jurisdiction. In like manner an owner of any undivided interest in lands assessed may pay the whole assessment and be entitled to like contribution and substitution.

§ 53. If any repairs to any improvement established or constructed under this act, or under the charge and control of the Board of Drainage Commissioners, shall become necessary by reason of the act or negligence of any landowner through which such improvement is obstructed, his servants or agents, or if the same shall be made necessary by any stock of said owner, his servant or agent, then such repairs, as shall be necessary to restore it to its previous condition, shall be made by such owner at his own expense, and upon his failure to make such repairs within thirty (30) days after being notified by the Board of Drainage Commissioners, he

shall be deemed guilty of a misdemeanor. The Board of Drainage Commissioners shall have the right to have the obstruction removed, paying the cost of same out of funds collected from any district for which it is an outlet, or of which it is a part of the work of the district, and if there is more than one, then the expenses shall be pro rated between them. All amounts so paid, with interest at the rate of six per centum per annum, shall be charged to the land owner in fault, and may be recovered by the Board of Drainage Commissioners in any court of competent jurisdiction, and the same shall constitute a lien upon the land of such owner or owners which may be enforced as other liens are enforced. When such amounts are recovered, if recovered, the same shall be returned to the fund or funds from which it was paid. It shall be unlawful for any person to injure, damage or in any way obstruct any ditch, sewer, canal, levee, waterway, or improvement established or constructed under this act, or placed under control of the Board of Drainage Commissioners under the provisions hereof, or to place any flood gate therein, or bridge or fence across the same, unless the privilege or right so to do shall first be obtained from the Board of Drainage Commissioners, by order entered upon its record, in which shall be specified the kind and character of such flood gate, bridge or fence, and the same shall be erected in accordance with the said order, but not otherwise. Any person guilty of a violation of the provisions of this act shall upon a conviction be fined not less than ten nor more than one hundred dollars. It shall be the duty of the Board of Drainage Commissioners to see that the provisions of this section are enforced.

§ 54. The provisions of this act shall not affect any proceeding now pending, to establish and have constructed any ditch, sewer, drain or waterway, or to have constructed, straightened, widened or deepened any ditch, drain, sewer or waterway or levee now existing, but all proceedings heretofore had, all steps taken to organize district for any of the said purposes, all districts heretofore organized, under any

law of this Commonwealth are hereby validated and made valid. Provided, however, that in any proceeding for any of the above purposes now pending under any law of this Commonwealth, such proceedings may, from and after the passage of this act, be prosecuted under the provisions of this act, and the court shall, upon the passage of this act and the approval of the same by the Governor, on motion of the petitioners or the Board of Drainage Commissioners, order the Board of Viewers, if any such board has been appointed, to make its report in conformity to the requirements of this act; and all proceedings thereafter shall be under the provisions of this act, except as in this section provided; that in districts established and partly but not completely organized, under other general laws, which elect to complete the organization under this act, if the benefits to lands and other property have been classified and special assessments fixed again railroads, public highways and other property, and confirmed by the court, the Board of Drainage Commissioners shall, in the preparation of the assessment record, employ as the basis for making the assessments the rules contained in sections 10, 11 and 12 of the act of 1912, relating to the drainage of land, approved by the Governor on March 19, 1912, and when said assessment record has been completed, same shall be filed with the clerk of the court wherein the proceeding is pending, as in this act provided, and be governed in all other respects as provided herein, but unless the petitioners or Board of Drainage Commissioners having charge of the proceedings desire to thereafter proceed under the provisions of this act, the proceedings shall be continued under existing laws and such amendments thereto as may be enacted.

§ 55. The fees allowed to attorneys representing the petitioners in the establishment of any district under this act up to the time same is established by the court, and referred to the Board of Drainage Commissioners shall not be in excess of the following schedule.

In districts where the estimated total costs of the improvement does not exceed ten thousand dollars, ten per centum thereof, and where the estimated cost of the improvement exceeds ten thousand dollars, but less than thirty thousand dollars, eight per centum thereof, and where the total estimated cost of the improvement exceeds thirty thousand dollars, but less than one hundred thousand dollars, seven per centum thereof, and where the total costs of the improvements exceeds one hundred thousand dollars, five per centum thereof, and for services rendered under employment of the Board of Drainage Commissioners, for all services in the organization of the districts same shall not exceed three per centum of the total costs of the improvement. The fees and compensation to engineers shall not exceed ten dollars per day and actual expenses in making the preliminary survey; nor shall the fees to any consulting engineer be in excess of $50.00 per day, nor shall the services of a consulting engineer in any district be employed for more than ten days, and all engineering fees in the organization of a district under employment by the Board of Drainage Commissioners shall not exceed five per centum of the gross cost of the improvement made. Any fees allowed in excess of the above schedule and entering into the total costs as the basis for making the levy of assessments, shall be grounds for exceptions which shall be sustained by the court unless the litigation is extraordinary and permission is first obtained from the court or judge in vacation to employ additional counsel to protect the interest of the district, and in that event, the maximum fees to be allowed such additional counsel shall be fixed by the court or judge before the board shall make any contract for the employment of such additional counsel.

§ 56. The provisions of this act shall be liberally construed so as to carry into effect the true intent and meaning thereof, and to promote the leveeing, ditching, draining and reclamation of wet, swampy or overflowing lands and the

prevention of damage to lands, cities, towns and municipalities or other property by overflow. If any part of this act or any section or provision thereof shall be declared illegal or unconstitutional, it shall not affect the remaining parts or portions of the said act. The collection of the assessment shall not be defeated where the parties are properly before the court, on account of any irregularity in the proceedings which does not affect the substantial rights of the party complaining. Any party or their privies properly before the court by virtue of the notice herein provided, or as provided for under pre-existing laws of the state, shall be deemed to be before the court for all purposes, and shall be bound by all orders, judgments and proceedings in the case not excepted to, or appealed from, in the manner herein provided for. If on appeal or otherwise, or for any cause, any property shall be released, or any assessment of benefit or damage be raised or lowered, it shall in no manner affect the rights or liability of any other property or persons, and the failure to appeal within the time herein prescribed shall be a waiver of any right to attack the proceedings.

§ 57. Nothing in this act shall be so construed as to deprive the fiscal court, or other governing authorities of any county, town, city or municipality of its jurisdiction and control over any levee, ditch, sewer, drain, established or constructed, or which may be established or constructed, by authority of such fiscal court or governing authority, but same shall be and remain under the jurisdiction and control of such governing authority; provided, however, that any drain, sewer, ditch or drain, so established and constructed may be utilized as an outlet for any ditch or drain which may be established hereunder; and provided further, that the governing authority of such county, or other governing authority may, in its discretion, delegate to the Board of Drainage Commissioners jurisdiction and control or a joint use and control over such levee, sewer, ditch or drain, so established

by it, upon such terms and conditions as may be agreed upon between them, such agreement to be reduced to writing, approved by the fiscal court, or other governing body, and the Board of Drainage Commissioners, and recorded upon the minutes of the proceedings of both bodies. The fiscal court, or other governing authority of the county or any city, town or municipality, shall have the right, when in its judgment the public interests and welfare justify it, to make appropriations for the purpose of aiding any drainage, levee or reclamation district in constructing or keeping in repair any improvement provided for herein, or under the control of the Board of Drainage Commissioners.

§ 58. Whenever any public ditch, sewer or drain, established and constructed under this act, or any pre-existing act, empties into a natural drain, creek or water course, such natural drain, creek or water course from the mouth of such public ditch or drain to the mouth of such natural drain, creek or water course shall be and is hereby declared to be to all intents and purposes, a public ditch, and subject in the same manner as other public ditches to the supervision and control of the Board of Drainage Commissioners of such drainage, levee or reclamation district.

§ 59. Whenever any obstructions exist in any natural drain, creek or stream, constituting an outlet for any public ditch, as provided in the preceding section, and the removal of such obstruction shall be necessary, in the opinion of the Board of Drainage Commissioners, for the successful operation of such public ditch or drain, the board may have such obstuctions removed, paying the cost thereof out of the funds collected from any district, ditch or drain for which it is an outlet, if there is more than one, then the expenses shall be pro rated between them, in such manner as said board shall deem just and equitable.

§ 60. In proceedings pending, commenced under the provisions of chapter 132 of Acts of 1912, relating to the drainage

of wet lands, the assessments of benefits to lands, railroads, public roads and other property may be appraised as provided in section sixteen of this act, or under sections ten, eleven and twelve of said chapter 132 of Acts of 1912, but in proceedings hereafter commenced, the classification shall not form the basis upon which assessments are made, and the only effect the classification provided for in the form set out in section sixteen of this act, shall be to aid the court to determine the correctness of the appraisements of benefits shown in their report.

§ 61. If upon the dissolution of any district organized under this act, any money be in the hands of the treasurer, after all liabilities of said district are satisfied, same shall be pro rated to the several tracts and parcels of land, railroads, highways, and other property according to the assessed benefits confirmed by the court in the organization of said district, and when so pro rated, the pro rate share shall be paid to the then owner of such property.

§ 62. Whereas, there are now pending in this state many proceedings for the establishment of drainage improvements wherein the parties desire to avail themselves of the provisions of this act; and whereas, many other sections of the Commonwealth need more perfect drainage and means of protecting from overflow and the land owners thereof are only awaiting the passage of this act to carry out said work; and, whereas, upon such proceedings, now pending, or about to be brought, depend the health, comfort, convenience and welfare of many sections of this Commonwealth; therefore, an emergency is hereby declared to exist, and this act shall take effect and be in force from and after its passage and approval by the Governor.

Mr. Kelly offered the following amendment to House Bill 359, viz.:

That House Bill No. 359 be and the same is hereby amended as follows:

1. That section three be amended by striking out the following words: in line three in said section, after the word "by," and before the word "owning" in line four thereof, viz.: "five or more persons" and inserting in lieu thereof the following words "not less than 25 per cent of the land owners in the proposed district or the owners of not less than 25 per cent of the land embraced within the proposed district described in the petition."

Also that said section be further amended by inserting at the end thereof and after the word "petitioners" in line 85 on page 9, the following words, viz.: "Any person or persons desiring to prosecute an action under the provisions of this act shall so state in the petition, and unless it be so stated in the petition it shall be deemed by the court that said proceedings are brought under the act of 1912, same being section 2380 of the Kentucky Statutes, Carroll's edition 1915."

Also that said H. B. 359 be further amended by striking therefrom the whole of section sixty-two thereof, same being the emergency clause.

Each and all of the said foregoing amendments, offered by Mr. Kelly, were adopted.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	B. H. Harris	T. P. Oliver
B. S. Bailey	Joe Huddleston	Luther Pieratt
J. H. Ballard	A. R. Hudson	Ote Piper
B. C. Beckmann	Chas. L. Hunter	Richard Radcliffe
H. V. Bell	J. W. Johnson	Avery Sartin
Leroy Bonta	Leslie P. Jones	R. T. Smith
W. P. Bowman	Griffin Kelly	Ben Street
O. V. Brown	W. F. Klair	John W. Swope
R. J. Cain	H. A Knollmann	John B. Thomas
A. S. Cooper	S. D. Laughlin	G. F. Thompson
W. P. Cropper	Joseph Lazarus	S. G. Thornberry
A. A. Demunbrun	J. E. Lilly	J. Wood Vance
H. L. Dixon	S. H. Moore	G. Frank Walthal
F. A. Easterling	John T. Murphy	T. R. Welch
I. H. Gabbard	Ryland C. Musick	W. N. Winn
W. H. Hager	W. P. McDonogh	E. G. Young
A. L. Hamilton	H. C. McGehee	
E. C. Hardin	W. B. O'Bannon	—52

Resolved, that the title thereof be as aforesaid.

Mr. L. B. Hamilton moved that the rules be suspended, and that H. B. 313 be taken from the orders of the day and placed upon its passage at this time.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 313. An act to repeal and re-enact section 2 of chapter 74 of the Acts of 1914, relating to husband and wife, and setting out more clearly the duty of the county court clerk in issuing marriage license.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 2 of chapter 74 of the Acts of 1914, relating to husband and wife, and more particularly the issuance of marriage license by the county court clerk, be repealed and there be and now is enacted in lieu thereof the following, to-wit:

"(2.) The form of marriage license provided in the foregoing section shall be uniform throughout the Commonwealth of Kentucky, and each and every license blank shall contain the identical words and figures as are provided in said foregoing section. In issuing the license the clerk shall deliver the license in its entirety to the licensee, and the clerk shall see to it that each and every blank space required to be filled by the applicants is so filled before delivering to the licensee.

A failure to comply with the foregoing shall subject the clerk to a fine of not less than twenty nor more than fifty dollars."

All acts or parts of acts inconsistent herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	B. C. Beckmann	W. P. Bowman
B. S. Bailey	Leroy Bonta	R. J. Cain

H. C. Chappell	Chas. L. Hunter	Luther Pieratt
John Cook	J. W. Johnson	Ote Piper
A. S. Cooper	W. H. Jones	Richard Radcliffe
A. A. Demunbrun	Griffin Kelly	Avery Sartin
H. L. Dixon	H. A. Knollman	Joe Schneider
F. A. Easterling	Joseph Lazarus	R. T. Smith
J. M. Elliston	M. E. Lee	Thomas Spurrier
L. L. Embry	J. E. Lilly	Ben Street
I. H. Gabbard	Ryland C. Musick	John W. Swope
W. H. Hager	W. P. McDonogh	Elmore Thomas
L. B. Hamilton	H. C. McGehee	J. T. Thornton
E. C. Hardin	S. Lee McGohan	W. F. Trusty
B. H. Harris	W. B. O'Bannon	G. C. Waggoner
Joe Huddleston	A. J. Oliver	G. Frank Walthal
A. R. Hudson	T. P. Oliver	W. N. Winn

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Resolved, that the title thereof be as aforesaid.

Mr. Leslie P. Jones moved that the rules be suspended, and that House Bill 401 be taken from the orders of the day and placed upon its passage at this time.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 401. An act to regulate the transportation of ground limestone for agricultural purposes, specifying rates to be charged for same and defining the maximum weight per carload.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any and all railroads operating in or through this State shall not charge on carload lots of ground lime-

stone for agricultural purposes, from one point in this State to another point in this State, in excess of one-half of one cent per ton per mile, with a minimum charge of twenty-five cents per ton per mile of said shipments up to a distance of fifty miles, and on any and all such shipments of fifty miles or more of such limestone, they shall not charge exceeding one-half of one cent per ton per mile. The carload lot herein referred to shall not exceed sixty thousand pounds.

§ 2. It shall be unlawful for any railroad company to charge in excess of the rates herein provided for, and any such company convicted of violating the provisions of this act, shall be fined not less than fifty dollars nor more than one hundred dollars for each offense, each shipment upon which a greater charge is made shall constitute a separate offense.

§ 3. Whereas, there is at present a great demand for an increased production of food stuffs, and,

Whereas, the distribution of limestone will aid materially in the crops to be raised in the ensuing year, an emergency is hereby declared to exist and this act shall take effect from and after its passage and approval by the Governor.

The Committee on Agriculture offered the following amendment to said bill, viz.:

Amend House Bill 401 by adding to the end of section 1 thereof the following:

"This section shall not be construed as a standard or criterion by which the rate on any other freight shall be fixed."

Said amendment was adopted.

Mr. Leslie P. Jones offered the following amendment to said bill, viz.:

Amend House Bill 401 by striking out the word "minimum" in line four, section 1, and insert in lieu thereof the word "maximum" and by striking out the words "per mile of" in line five, section 1, and insert in lieu thereof the word "for."

Said amendment was adopted.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	L. B. Hamilton	Lilburn Phelps
Chas. Ashby	B. H. Harris	Luther Pieratt
B. S. Bailey	David J. Howard	Ote Piper
J. H. Ballard	Joe Huddleston	Avery Sartin
A. L. Baldwin	A. R. Hudson	Joe Schneider
Robert Bays	J. W. Johnson	R. T. Smith
H. V. Bell	Leslie P. Jones	Ben Street
Leroy Bonta	W. H. Jones	John W. Swope
W. P. Bowman	H. A. Knollmann	Claude M. Thomas
R. J. Cain	Joseph Lazarus	John B. Thomas
T. L. Caudel	M. E. Lee	Geo. F. Thompson
John Cook	S. H. Moore	J. T. Thornton
A. S. Cooper	Ryland C. Musick	S. G. Thornberry
H. L. Dixon	A. J. McCandless	W. F. Trusty
F. A. Easterling	H. C. McGehee	J. Wood Vance
I. H. Gabbard	S. Lee McGohan	W. N. Winn
W. H. Hager	W. B. O'Bannon	E. G. Young

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Those who voted in the negative were—

James S. Cruse A. J. Oliver —2

Resolved, that the title thereof be as aforesaid.

Mr. Lee moved that the rules be suspended, and that Senate Bill 136 be taken from the orders of the day and placed upon its passage at this time.

Said motion was agreed to.

And then the House took up for consideration from the orders of the day a bill entitled:

S. B. 136. An act to create the Kentucky Council of Defense, defining its powers, purposes, objects and duties and providing an appropriation therefor.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created a board and public body corporate to be known as the Kentucky Council of Defense.

§ 2. The objects, powers and purposes of said council shall be to assist the State and Federal Governments during the continuance of war. Said council shall cease to exist, unless continued by legislative enactments, at the end of the session of the General Assembly of Kentucky, either special or general, which shall sit next after the termination of the existing war with Germany and Austria.

§ 3. Said council shall be composed of nine members to be appointed by the Governor without regard to party or political affiliation, one of whom shall be designated by the Governor as chairman, and five of whom shall constitute a

quorum. Said council, may, by appropriate resolution, appoint an executive committee consisting of not less than three of its members, and may by resolution vest said committee with all the powers of the Council until the same shall be rescinded by a majority vote of the members. Said council may appoint or employ such officers or agents as may be necessary to carry on the business of the council. The members shall hold office for four years or until the council shall cease to exist, but a member may be removed by the Governor at any time for good cause. Vacancies in the council shall be filed by the Governor.

§ 4. Upon organization the Kentucky Council of Defense shall immediately notify the National Council of Defense of its readiness for co-operation with it and with all federal agencies in every possible manner looking to the defense of the nation and the public welfare. Said Kentucky Council shall also communicate with the councils of other states and exchange with them all data necessary and desirable for their common use and co-operate with them.

§ 5. Said council by itself or through its agents and employes shall have power to make full investigation as to all questions directly or indirectly relating to or bearing upon the purposes referred to in this act. It shall have power to subpoena witnesses and to require their testimony under oath, and to compel by subpoena duces tecum the production of books, accounts, files, papers and other written or printed documents deemed relevant to any investigation or matter which may be under consideration by such council. Said powers contained in this section are likewise conferred upon subcommittees and other bodies and agents of said council authorized by this act or to be appointed or created, when authorized and directed by the Kentucky Council of Defense to exercise such powers. In case of refusal of any person or corporation to comply with any subpoena issued hereunder, or to testify to any matter requiring which interrogation may be made, such facts shall be made to appear by petition filed

with the judge of the circuit court of the county in which said witness is required to appear by petition filed in the name of the Kentucky Council of Defense, through its agent or attorney in which petition there shall be set out the facts relative to the issuance of said subpoena, a general summary in substance of the character of the testimony desired or documents produced, and the witness or witnesses and the person or persons or corporations refusing to comply with said subpoena. Upon the filing of said petition, verified by a representative of said Kentucky Council of Defense, the said judge shall issue a rule requiring the person or persons or corporation complained of to appear at such time as the judge may designate, and within five (5) days of the date of the filing of said petition, and show cause why said person or corporation should not be held in contempt of the orders of said Kentucky Council of Defense. Said petition and rule shall be served upon the respondent at least three (3) days before the date of the hearing, which hearing may be held either at chambers or during term time. Should the respondent fail to appear in response to said order, or to render satisfactory explanation for refusing to comply with the subpoena or order of said Kentucky Council of Defense, then said judge may hold said person or corporation to be in contempt of said order, and may impose such fine or imprisonment as is now provided by law in cases of contempt of the circuit court. Said hearing shall be before the judge upon affidavit, or upon oral testimony, as the judge hearing the case may direct, and the laws applicable to exception and appeal shall be applicable to said hearing.

§ 6. It shall be within the powers of the Kentucky Council of Defense to appoint, in different counties and precincts of the State of Kentucky, special representatives or resident councilors or associate councilors whose duty it shall be to vigilantly guard the interests of the State and to report treasonable acts or utterances, or such acts or utterances as are inimical to the prosecution of the war, and under

direction of the council to warn persons or bodies guilty of such acts or utterances, and to exercise such other powers as may be bestowed upon them in said behalf by said council or by the General Assembly of Kentucky, or by the Congress. Said council is hereby authorized and empowered, when the necessity arises, which fact shall be determined by a two-thirds vote of the full membership of the said council, to call upon and direct the governing authorities of all counties and municipalities of Kentucky to co-operate with said council in furtherance of its orders, and in regard to all investigations directed by said council.

§ 7. It shall be the duty of said council and it shall have the power to initiate and carry on within the state measures to co-ordinate the war activities of the State with those of the Federal Government and other states, to bring about the highest efficiency within the State in everything relating directly or indirectly to the war, and to meet the emergencies in the State because of the existence of the war.

§ 8. Said council shall co-ordinate the activites within the State of all voluntary organizations and committees engaged in patriotic service, and supervise the solicitation of funds within the State by all such organizations and committees.

§ 9. Said Kentucky Council of Defense is hereby authorized to receive appropriations from the State of Kentucky, and from other states and municipalities, and donations from private individuals, and to use and account for the same for the purposes of said council. If any fund should be remaining in its hands after the expiration of its duties, the same shall be covered into the treasury of the State of Kentucky for the general purposes of the State, unless otherwise directed to be disposed of under the terms of the particular appropriation or donation.

§ 10. The council shall use earnest efforts to support the policy of the Federal Government to place before the citizens of the State the reasons for the war, and for the various gov-

ernment activities in support of the war, shall endeavor to send speakers to the various counties and precincts of the State, shall with the aid of publicity committees furnish literature to newspapers of the State, and expend if necessary reasonable amounts in the circulation of papers, magazines and pamphlets of educational value and in the publication and circulation of an official bulletin, and shall have all powers which may be deemed necessary or desirable to accomplish the general purposes of said council, and may exercise all powers which may be conferred upon it by the General Assembly of Kentucky or by the Congress.

§ 11. As soon as may be after the creation of said council, same shall be called together by the chairman and organized. It shall have power to make all appropriate by-laws, rules and regulations for carrying on the business of the council, and shall have the right to form advisory or other committees outside of its membership. It may provide for the organization of subordinate bodies for its assistance in each of the counties and precincts of the State, the members of which shall be appointed by the chairman of said council with the approval of the Governor, and may appoint committees or agencies for special investigations, either by the employment of experts or by the creation of committees of specially qualified persons or both. All such committees and bodies and individuals shall report to said council periodically and also as may be required by said council, and shall act under its direction.

§ 12. There is hereby appropriated out of the general funds of the State the sum of fifty thousand ($50,000.00) dollars per annum for two years for the work of said council, to be paid under resolutions of said council out of the general funds, or out of such special funds as may be provided by the General Assembly of Kentucky, upon warrant drawn by the Auditor upon the requisition of the Governor upon the treasurer of the State of Kentucky.

§ 13. The members of said council shall serve without compensation other than actual traveling and hotel expenses when traveling and engaged upon the business of said council. The council may pay such officers and agents as it may employ reasonable compensation for specific work done. No agreement for compensation and no voucher for expenses or money paid shall be valid or honored unless approved by the Governor or by the chairman of the council; and also authorized by a quorum of said council or executive committee. Said council may employ, at regular salaries, such expert and clerical assistance and help as may be necessary and proper, and pay a reasonable compensation therefor.

§ 14. Said council shall render to the Governor on the first day of January in each year and through the Governor to the Legislature at each session a full account of its activities during the preceding year, and an itemized statement of all moneys paid out by it of the expenditure of all funds drawn from the State Treasury.

§ 15. Said council shall have authority to requisition from the Superintendent of Public Printing or the Board of Printing Commissioners such printing and office supplies as may be necessary for its work, the cost thereof to be paid for out of the appropriation herein provided for.

§ 16. Unless called by the chairman to meet elsewhere, the members of the Kentucky Council of Defense shall hold all meetings in Louisville, Kentucky, and said council shall have the right to expend such reasonable sums as may be necessary to establish and maintain offices in that city. The chairman shall have the right to call a meeting of the council at any other place in the State of Kentucky.

§ 17. All laws or parts of laws inconsistent with the provisions of the act are hereby repealed, and in the event any provision of this act should be held to be invalid or inoperative the remaining provisions of the act shall remain in full force and effect.

An emergency is declared and this act shall take effect from and after its passage.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	B. H. Harris	T. P. Oliver
Chas. Ashby	David J. Howard	Lilburn Phelps
B. S. Bailey	A. R. Hudson	Luther Pieratt
L. D. Baldauf	Chas. L. Hunter	Ote Piper
J. H. Ballard	J. W. Johnson	Richard Radcliffe
A. L. Baldwin	Leslie P. Jones	H. C. Rice
B. C. Beckmann	W. H. Jones	Avery Sartin
H. V. Bell	H. A. Knollmann	Joe Schneider
T. L. Caudel	W. T. Lasley	R. T. Smith
H. C. Chappell	Joseph Lazarus	Thomas Spurrier
A. S. Cooper	M. E. Lee	John W. Swope
W. P. Cropper	J. E. Lilly	Claude M. Thomas
J. C. Davis	Claude D. Minor	John B. Thomas
A A. Demunbrun	S. H. Moore	J. T. Thornton
H. L. Dixon	Ryland C. Musick	W. F. Trusty
F. A. Easterling	W. P. McDonogh	Geo. C. Waggoner
J. M. Elliston	H. C. McGehee	G. Frank Walthal
I. H. Gabbard	S. Lee McGohan	T. R. Welch
W. H. Hager	W. B. O'Bannon	W. N. Winn
L. B. Hamilton	A. J. Oliver	E. G. Young

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Those who voted in the negative were—

John Cook	Griffin Kelly	S. G. Thornberry
Joe Huddleston	A. J. McCandless	—5

Resolved, that the title thereof be as aforesaid.

Mr. Radcliffe called up for consideration from the clerk's desk a resolution entitled:

H. Res. 33. Resolution petitioning Hon. W. G. McAdoo, director of railroads, to furnish cars for transportation of tobacco.

(For said resolution see House Journal March 7, 1918.)

Said resolution was adopted.

Mr. Hudson moved that the rules be suspended, and that Senate Bill 90 be taken from the orders of the day and placed upon its passage at this time.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 90. An act in relation to advertisements concerning venereal diseases.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Advertisement relating to certain diseases prohibited. Whoever publishes, delivers, distributes or causes to be published, delivered or distributed in a newspaper or otherwise an advertisement containing a statement, description or discussion of or concerning a venereal disease or a disease, infirmity or condition of the sexual organs caused by sexual vice or referring to a person or persons as having suffered from a disease, infirmity or condition; which advertisement

shall call attention to a medicine, article or preparation that may be used therefor or to a person or persons who may or will treat or give advice concerning the same or to an office or place where such disease, infirmity or condition may or will be treated or where advice may or will be given concerning the same, shall be punished by imprisonment for not more than six months or by a fine of not less than fifty dollars nor more than five hundred dollars, or both such fine and imprisonment. Provided, however, that this section shall not be construed to apply to didactic or scientific treatises on sex conditions. diseases or infirmities which do not advertise or call attention to any person or persons who will treat or advise concerning the same, nor to any office or place where the same may be treated or where advice will be given concerning the same, other than a person or an office or a place affiliated with a licensed hospital or dispensary or the State or County Board of Health of the State of Kentucky.

§ 2. This act shall take effect from and after its passage.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	O. V. Brown	H. L. Dixon
Chas. Ashby	R. J. Cain	F. A. Easterling
Robert Bays	T. L. Caudel	J. M. Elliston
W. T. Beckham	John Cook	L. L. Embry
B. C. Beckmann	A. S. Cooper	T. H. Gabbard
H. V. Bell	W. P. Cropper	W. H. Hager
Leroy Bonta	A. A. Demunbrun	L. B. Hamilton

David J. Howard	Ryland C. Musick	Ben Street
Joe Huddleston	A. J. McCandless	John W. Swope
A. R. Hudson	W. P. McDonogh	Claude M. Thomas
Chas. L. Hunter	H. C. McGehee	John B. Thomas
J. W. Johnson	S. Lee McGohan	J. T. Thornton
W. H. Jones	W. B. O'Bannon	S. G. Thornberry
H. A Knollmann	T. P. Oliver	W. F. Trusty
W. T. Lasley	Lilburn Phelps	J. Wood Vance
Joseph Lazarus	Luther Pieratt	Geo. C. Waggoner
M. E. Lee	Ote Piper	G. Frank Walthal
J E. Lilly	Lewis Ryans	T. R. Welch
Harry J. Meyers	Avery Sartin	W. N. Winn
Claude D. Minor	Joe Schneider	E. G. Young
S. H. Moore	R. T. Smith	—62

Their voted in the negative—

James S. Cruse —1

Resolved, that the title thereof be as aforesaid.

A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, viz.:

S. B. 155. An act to prevent idleness in the Commonwealth of Kentucky during the continuance of the war in which the United States is now engaged, and prescribing the duties of civil and police officers of the State.

To the Committee on Retrenchment and Reform.

S. B. 159. An act to suppress, prevent, control and eradicate communicable disease in live stock, to provide the necessary officers and define their duties and powers, and to appropriate funds necessary for its enforcement, and repealing section 63a of article 2 chapter 5 Carroll's 1915 edition of the Kentucky Statutes.

To the Committee on Agriculture.

S. B. 164. An act to amend charters of cities of the fourth class.

To the Committee on Cities of the Fourth Class.

S. B. 202. An act to amend section 2055 of the Kentucky Statutes relating to county health boards in respect to counties containing cities of the first class.

To the Committee on Public Health.

Mr. Beckham asked the unanimous consent of the House to introduce a bill, which consent was granted.

By Mr. Beckham:

H. B. 523. An act to regulate the weighing and sampling of milk.

To the Committee on Appropriations.

A message was received from the Senate announcing that they had passed a bill which originated in the House of the following title, viz.:

H. B. 138. An act to abolish the assessor's office and to provide in lieu thereof a county tax commission; prescribing the duties and qualifications of the county tax commission; and the duties of taxpayers in relation thereto.

With amendments proposed thereto by the Senate.

Said amendments proposed by the Senate to H. B. 138 read as follows, viz.:

(1) Amend section 1 of House Bill 138 in Senate by striking from lines 4 and 5 these words: "as provided in section 3 immediately thereafter."

Amend section 2 of House Bill 138 in Senate by striking out the word "clerk" in line 44 and insert in lieu thereof the word "court."

Amend section 3 of House Bill 138 in Senate, as printed, by inserting after the end of line 39 and before the beginning of line 40 the following:

"County Tax Commissioners—Claim to be Verified—Penalty.—Before the county court shall grant such a certificate of allowance, the county tax commissioner and his deputies, if any, shall, in open court, make and file the following affidavits, subscribed and sworn to by them before the clerk of the county court, viz.: 'I do swear that I have not received from any person a list of taxable property and returned the same until the person rendering the list has made oath to the truth of the same; and I do further swear that I have, in no instance assessed any property at a greater or less sum than I deemed a fair cash value, estimated at the price it would bring at a fair voluntary sale.' Any county tax commissioner or deputies who shall make affidavit, knowing the same to be false in any particlar, shall be deemed guilty of false swearing, and, on conviction, be punished accordingly.

"Deduction for Failure to do Duty.—Payment of County Tax Commissioner.—A reduction of fifty cents shall be made from the county tax commissioner's compensation for each list he shall fail to report for taxation, or report without authority of law, and one dollar for each duplicate assessment."

(2) Amend Senate Bill 138, as printed, section 5, line 8, after the word "law" by striking out the balance of such section and by inserting in lieu thereof the following:

"Provided, however, that if any taxpayer shall fail or refuse to list his property, it shall be the duty of the county tax commissioner or deputies to see said taxpayer in person or call at his residence for the purpose of securing the assess-

ment of his property. If said taxpayer is not at home at the time of said call, the county tax commissioner or deputy shall leave a written notice together with a copy of the schedule. Said notice shall state the commissioner has called for the purpose of assessing the property of the taxpayer. It shall then be the duty of the taxpayer to personally appear before the county tax commissioner or his deputy and assess his property within the time prescribed by law for the assessment of property. Failure to respond to said notice shall subject the taxpayer to a fine not exceeding fifty dollars."

(3) Amend House Bill 138 in Senate by striking out "7a" on page 9 and insert in lieu thereof "8," and by striking out "8" and insert in lieu thereof "9."

(4) "Whereas, the county tax commissioner under the provisions of this act will be unable to draw their compensation or any part thereof for several months, and

"Whereas, their work is all completed an emergency is declared to exist, and this act shall take effect from and after its passage and approval by the Governor."

Mr. Bonta moved that the House concur in Senate amendments numbers one, three and four to House Bill No. 138.

Said motion was agreed to.

Said amendments numbered one, three and four were then concurred in.

Mr. Bonta moved that the House refuse to concur in Senate amendment number two to House Bill No. 138.

Said motion was agreed to.

Said amendment number two was non-concurred in.

The question then being taken on the passage of said House Bill 138 as amended in the Senate by amendments numbered one, three and four, which said amendments were

concurred in by the House, and the yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	L. B. Hamilton	W. B. O'Bannon
L. D. Baldauf	E. C. Hardin	A. J. Oliver
J. H. Ballard	B. H. Harris	T. P. Oliver
B. C. Beckmann	Joe Huddleston	Luther Pieratt
Leroy Bonta	A. R. Hudson	Ote Piper
J. L. Bradford	Chas. L. Hunter	Richard Radcliffe
O. V. Brown	J. W. Johnson	Joe Schneider
R. J. Cain	Leslie P. Jones	R. T. Smith
H. C. Chappell	W. F. Klair	Ben Street
John Cook	Joseph Lazarus	John W. Swope
A. S. Cooper	J. E. Lilly	Claude M. Thomas
A. A. Demunbrun	Harry J. Meyers	Elmore Thomas
Harry Dill	Claude D. Minor	John B. Thomas
L. L. Embry	John T. Murphy	S. G. Thornberry
M. E. Gilbert	Ryland C. Musick	J. Wood Vance
W. H. Hager	W. P. McDonogh	T. R. Welch
A. L. Hamilton	H. C. McLellen	E. G. Young

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A message was also received from the Senate announcing that they had concurred in amendment No. 2, proposed by the House of Representatives to Senate Bill No. 18, and further that they refused to concur in amendments Nos. one and three, proposed by the House of Representatives to Senate Bill No. 18.

Mr. A. J. Oliver, of the Committee on Appropriations, to which committee the same had been recommitted with leave to report at any time, reported a bill of the following title, viz.:

H. B. 373. An act relating to public health, repealing, amending and re-enacting sections 2054, 2059, 2060 and 2061 of the Kentucky Statutes, Carroll's edition of 1915, relating to the State Board of Health, creating bureaus within said board to perform the functions of the existing State Tuberculosis Commission, the Hotel Inspector, the Pure Food and Drug Division of the Agricultural Experiment Station, and for other purposes, creating county and district departments of health and providing and limiting the appropriations of the State Board of Health and further defining its powers and duties.

Said bill reads as follows, viz.:

Whereas, accurate official reports from all of the counties in Kentucky for the seven years the vital statistics law has been in operation show a steady average of sixty per cent of sickness and forty-seven per cent of deaths from communicable diseases, which with existing knowledge can and ought to be prevented, more than one-half of this sickness and these deaths occurring in persons in, or just approaching, the most productive period of life, many of them young mothers and fathers; and,

Whereas, official reports to the Judge Advocate General of the United States army during the operation of the recent draft law show that one-third of the young men of Kentucky between the ages of twenty and thirty years have such physical defects as render them unfit for service to our country in time of need; and,

Whereas, ninety-four per cent of these defects are shown to have been remediable by the application of simple methods of preventive treatment; and,

Whereas, many of these young men are as definitely unfitted for effective, productive citizenship as they are for soldiers; and,

Whereas, the fiscal condition of the Commonwealth demands that all its affairs shall be conducted with the strictest regard for economy and efficiency and with the use of as few offices and officers as can do the absolutely necessary work; and,

Wheras, most of the functions of government in a democratic Commonwealth should be performed and conducted by the smaller units of the people themselves, and under their immediate supervision; and,

Whereas, this can be done by consolidating all existing activities in the state performing health functions, and by codifying the health laws so that all their duties will be imposed on one central authority, in the interest of both efficiency and economy; now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That sections 2054, 2059, 2060 and 2061 of the Kentucky Statutes, Carroll's edition of 1915, relating to the State Board of Health, be amended by striking out all of said sections and inserting in lieu thereof such words that each of said sections, respectively, when so amended and re-enacted shall read as follows:

§ 1. That section 2054 as amended and re-enacted shall read as follows: (1) That the sum of seventy-five thousand dollars per annum, or so much thereof as may be found necessary by the State Board of Health, is hereby appropriated for the use of such board to establish and maintain:

a. A bureau of tuberculosis for the study, prevention and treatment of that disease.

b. A bureau of vital statistics, that the cause of sickness and mortality and records of births may be promptly reported, utilized and permanently recorded.

c. A bureau of pure food and drugs, to protect the people from adulterations, substitutions and misbranding, and dangers from these products.

d. A bureau of sanitation, for the practical utilization of health knowledge in preventing and restricting the spread of the communicable diseases and in abating and minimizing the causes of sickness, including venereal diseases, and for the study and control of unsanitary housing, hotel and rooming conditions, and for the protection of the rivers, creeks, water sheds, springs, wells and the regulation of sewers, household waste and other matters relating to the sources of purity of the water supplies in every section, and the board is empowered in its rules and regulations to provide for the protection and purification of the same.

e. A bureau of epidemiology and bacteriology to aid in the study, early diagnosis, location and prevention of epidemics and communicable sickness.

f. A bureau of hotel inspection for the inspection of hotels and restaurants of this Commonwealth to determine their sanitary condition, and make such reports and take such action as may be necessary to protect the health and lives of the public under the laws of this Commonwealth, and the rules and regulations of the state and local boards of health.

And pay the salaries of its secretary and the heads of these bureaus, who shall be elected for a term of four years, and of such clerks, stenographers, inspectors and other employes as it may find actually necessary, and to pay the traveling and such other expenses of the board as it may find necessary in the proper discharge of its duties; an itemized list of all expenditures under this act to be made in its report to the General Assembly.

To arrange for an annual school for county and city health officers, at some centrally located place, for systematic instruction in the best practical method for preventing the diseases above named, and other public health work, said school to continue in session at least three days; and it shall be the duty of each city and county health officer to attend and take part in such schools unless prevented by an epidemic in

his city or county, or for other reasons satisfactory to the officials conducting the school, and it shall be the duty of each fiscal court or city council to pay the actual necessary expenses incurred by its health officer in attending such schools, upon certificate duly attested by the State Board of Health of actual attendance during the entire period for which such school is held and that the charges are reasonable.

All warrants and vouchers under this act shall be signed by the president and countersigned by the secretary of the board, and duplicates of all vouchers, and an itemized statement of expenditures, shall be filed with the Auditor of Public Accounts. The secretary shall give bond in the sum of ten thousand dollars, from a reliabe bonding company, the fee of which shall be paid by said board, for the faithful performance of his duties and the proper accounting for all funds coming into his hands, and said bond shall be filed with the Auditor of Public Accounts. The total expenses of the board shall not exceed the sum hereby appropriated, except for the public printing of said board which shall be paid for outside of this appropriation, as other public printing is now paid.

(2.) Physicians appointed as health officers for cities and counties shall receive reasonable compensation for their services, to be allowed by the councils, or fiscal courts of the cities or counties, and to be paid as other city and county officers are paid, and such officers may be removed at any time by the local boards appointing them. It shall be the duty of such local authority to transmit to the office of the state board the name and postoffice address of each officer appointed by it. Any physician or head of a family who shall fail or refuse to report to the local board of health cases of cholera, smallpox, yellow fever, scarlet fever, diphtheria and other epidemic diseases as provided for in section 2055, Kentucky Statutes, Carroll's edition of 1915, shall be fined not less than ten nor more than one hundred dollars for each day he neglects or refuses to report, and repeated failure to report as herein provided, includ-

ing reports of births and deaths, shall be sufficient cause for the revocation of a physician's certificate to practice medicine in this Commonwealth.

And be it further enacted that a county or district health department for the prevention and control of epidemics and communicable sickness, as may be determined by the State Board of Health, may be created, established and maintained in and by counties or districts in this Commonwealth in the following manner:

A district for the creation, establishment and maintenance of a county or district health department may consist of one county, or two or more counties contiguous to each other. The fiscal court of any county, or the body exercising the functions of the fiscal court, may by resolution declare that such county shall be a district for the creation, establishment and maintenance of a county health department, and said fiscal court, upon such resolution being passed, shall at once, out of the funds of the county, appropriate a sufficient amount for the creation, establishment and maintenance of such a county health department, hereinafter described and set forth and defined. Or, if there are not sufficient funds on hand for such appropriation at the time said resolution is adopted, at the next succeeding county levy such court shall make such levy as will be sufficient to produce the necessary amount of tax for the creation, establishment and maintenance of said county department of health, and shall further make a levy for the maintenance of such department of health, and shall annually thereafter make a levy of sufficient amount of tax to pay the annual expenses of maintenance of said county department of health.

The fiscal courts of two or more contiguous counties may by resolution, which shall be in full force and effect for two years awaiting the action of the fiscal court of one or more contiguous counties to unite in the formation of such a district health departent, duly passed by a majority vote of the mem-

bers present, by each court, unite said counties into a district for the purpose of creating, establishing and maintaining a district department of health for the prevention and control of epidemics and communicable sickness, as determined by the State Board of Health. Said each court, at the time of passing said resolution, shall provide an appropriation for its proportion of the cost of the creation, establishment and maintenance of such district health department, to be paid by such county, or, if the funds are not on hand for that purpose, shall, at the next regular meeting of such fiscal court, at which a county levy is made, levy a tax for that purpose, and also levy a tax for the payment of the proportionate part of the annual maintenance of said district department of health, to be paid by such county, and shall thereafter make an annual levy of tax sufficient in amount to pay its proportion of the costs to said county for the succeeding year.

Where two or more counties unite to form such district, the first cost of creating and establishing said district department of health and the cost of the equipment as may be necessary to comply with the provisions of this act shall be paid by the counties comprising the district in proportion to the taxable property of each county as shown by their respective county assessments. The annual expense of maintenance, as set forth in this act, of such district health department, shall be borne by each county reasonably and equitably in such amounts as shall be ascertained under rules and regulations of the State Board of Health, which rules and regulations shall be such that the expense shall be borne reasonably and equitably by each of the counties in proportion to the amount of the taxable property of each county.

If the fiscal court or body exercising the functions of the fiscal court of any county or counties shall fail or refuse to establish a county or district department of health, as herein authorized, the citizens of any county, or of two or more contiguous counties, may have such county or such contiguous counties estabilised as a county or district department of

health in accordance with the provisions of this act in the following manner: Twenty or more legal voters of such county may file their petition with the county judge of such county asking that the proposition of establishing such county as a district for the creation, establishment and maintenance of a county or district department of health for the prevention and control of epidemics and communicable sickness, as determined by the State Board of Health, be submitted to the voters of said county at the next regular election which shall be held in said county, provided that such general election does not occur within less than thirty days after the filing of said petition. Each voter signing said petition shall state his full name and address. Upon the filing of said petition with the county judge, he shall enter an order directing the publication in full of such petition in the newspaper having the largest circulation in said county at least once a week for four consecutive weeks next preceding such general election, and shall further enter an order directing the clerk of the county court to have placed upon the ballot at such election the question, "Are you in favor of establishing a county department of health?" with underneath the words "Yes," followed by a square and "No" followed by a square for the placing of the stencil of the voter. If the majority of those voting on the proposition to establish such county department of health vote "Yes," then said department of health for said county shall be created, established and maintained. If the contrary, then it shall not. The vote on such question shall be canvassed and returned by the Board of Election Commissioners for such general election, and such election may be contested as provided by law for other contested elections, by a petition filed in the circuit court of such county by one or more qualified voters of said county who vote "Yes" or "No" as the contest may be had, and to which the members of the fiscal court of the county shall be made defendants, together with such other qualified voters as may

have voted contrary to the contestants and desire to be made parties to the contest.

Where the citizens of two or more contiguous counties desire to have created, established and maintained a district department of health for the prevention and control of epidemics and unnecessary sickness, in said counties, not less than twenty qualified legal voters of each county shall file a petition in the county of their residence, asking that such a district department of health be created, established and maintained, naming the several counties to be united in creating, establishing and maintaining such a district department of health. Such petitions shall be filed in each county of the proposed district department of health, and the method of proceeding in each shall be the same as hereinabove provided for one county, except that the same proceeding shall be taken in each county for the general election to be held at the same time in each county, and the question placed upon the ballot shall read: "Are you in favor of establishing a district department of health?" If any one of the said counties in the proposed district shall fail to vote "Yes" on the proposition, then said district department of health cannot be established unless by a contest of the election in such county it should be finally determined that such county had voted "Yes." At the time of filing the petition or petitions, as the case may be, the petitioners shall deposit with the county judge a sufficient sum of money to pay the cost of advertising hereinabove required.

The result of any county election for the creation, establishment and maintenance of a county or district department of health shall be certified to the fiscal court of such county or to the fiscal court of each of the counties in which said department of health is to be created, established and maintained, and said fiscal court or courts shall, if the result of said election be certified to it or them as in favor of the creation, establishment and maintenance of said county or district department of health, forthwith proceed to declare such county or counties a district for the establishment of a county or district depart-

ment of health, and shall proceed to put same into effect in the same manner as a fiscal court or courts are authorized to do upon their own initiative as hereinabove provided, and the cost and expenses of its creation, establishment and mainteance shall follow in all manners the same as hereinabove provided.

Upon the creation of such county or district department of health, the fiscal court of the county, or the fiscal courts of the several counties, where more than one county took action as herein provided to create, establish and maintain a district health department, shall at once notify the State Board of Health of the action of the county or counties to create, establish and maintain a county or district health department.

It is further provided that such a district department of health may be established in two or more contiguous counties if one or more said counties shall by resolution duly passed by its fiscal court or body assuming the functions of the fiscal court declare its intention of creating, establishing and maintaining a district health department in two or more contiguous counties, and the other or remaining county or counties may, by a vote of its citizens, as herein provided, so determine to create said district department of health. Provided that when a county, by a vote of its citizens, shall vote in a general election, as herein provided, against creating, establishing and maintaining a county or district department of health, said department of health may not by resolution of its fiscal court be so created, established or maintained until after the expiration of the terms of office of the members of said fiscal court or corresponding body of such a county, who were members of said court or body when such an election was held.

It shall be the duty of the State Board of Health at once to notify the secretary of the county board or boards of health to call a meeting of the county board or boards of health for the purpose of organizing the county or district department of health, which is described, defined and set forth as follows:

A county department of health shall be governed by the members of the county board of health who as heretofore provided are charged with the enforcement of the health laws of this Commonwealth and the rules and regulations of the state and county boards of health, and, at the meeting of the county board of health called for the purpose of organizing said county department of health, a majority of the qualified members constituting a quorum with the full authority of the board, it shall elect a health officer, who shall be a legally qualified physician, and who shall, in a book to be provided for the purpose, keep full minutes of its proceedings. He shall be a graduate in medicine and surgery from some medical college, recognized as in good standing by the State Board of Health, and must have at least six months' special training in preventive medicine and public health work in some school or college in good standing as recognized by the State Board of Health; he shall be required to devote his whole time to the duties of his office and is prohibited from the practice of his profession for compensation from his patients; he shall be paid a reasonable salary of not less than two thousand dollars nor more than three thousand dollars per annum and the necessary expenses for traveling in the performance of his duties. It shall be his duty to execute the orders of the county board of health, the laws of this Commonwealth governing disease and the rules and regulations of the state and local boards of health. He shall be elected for a term of four years at a fixed annual salary to be paid at regular intervals as other county officials are paid. He may at any time be removed for cause made known to him in writing after a hearing by the county board of health, at which he may be represented by counsel and in case of dismissal he shall have the right of appeal to the State Board of Health, which may, at its meeting, a quorum being present, confirm or reject the action of the county board of health, in which case its action is final, unless its action is set aside by action through the courts of competent jurisdiction.

The county board of health shall also employ not less than one assistant to the health officer of the board, who shall be skilled in the care of the sick and trained in the best methods of preventive medicine, nor more than three assistants, except counties having cities of the first and second class, in which case one assistant may be employed for each ten thousand population, provided that in no case the total amount expended in any county shall exceed one-half of one mill for each dollar of assessed valuation of property for taxation in such county; and in the event a county is unable with said maximum expenditure of money to maintain a county department of health, according to the permanent standards herein fixed, it may not create, establish and maintain a county department of health alone, but may unite with one or more counties as herein provided to create, establish and maintain a district department of health.

The county board of health shall also provide an office suitably furnished for its meetings and to conduct its business, and conveniently located as determined by it. It shall be the duty of the health officer in the laboratory of the county department of health in the office of said board to make chemical and bacteriological examinations of milk and water of all dairies, sources of drinking water suspected of being dangerous to the public health, and so ordered by the county or state board of health; he shall be prepared to make examinations of blood, sputum, discharges from the nose, throat, skin and bones, for the detection of the cause of the malaria, tuberculosis, diphtheria, typhoid fever, dysentery, hookworm disease, pneumonia and such others as may be fixed by the county or state board of health. The health officer shall also keep properly safeguarded a supply of fresh smallpox virus, typhoid vaccine for the prevention of typhoid fever, for free distribution and use for the citizens of the county, and a supply of fresh diphtheria antitoxin, which shall be sold at wholesale cost for use upon any citizen of the county, and where any

person unable to purchase them within the county is found suffering from diphtheria or has been exposed to smallpox or typhoid fever, it shall be the duty of the county board of health to furnish free such diphtheria antitoxin, smallpox virus or typhoid vaccine as may be needed to protect the health and lives of the people of the county, and it shall be the duty of the health officer or assistant to administer promptly these curative and preventive agents.

The county health officer shall make frequent trips of inspection to all parts of the county to determine and remove causes of sickness. He shall visit the schools of the county and make such inspections of surroundings, premises or inmates as the county or state boards of health may determine are necesary to protect the public from communicable diseases. If in school examinations of children for defective eyesight, hearing, diseased tonsils and teeth and adenoids, such conditions be found either by himself or his assistant, a confidential report in writing shall be made to the parent or guardian of such child or children, calling attention to the defect or disease and requesting that such condition be corrected.

The health officer shall make a physical, chemical and bacteriological examination of the drinking water used by school children, and if dangerous to their health, the county or state board of health may order that a supply of pure water be furnished at the expense of the county or city board of education. If the premises are constructed in violation of the law and are found to be unsanitary or unsafe for the housing of children, the local or state board of health may condemn such building after verifying the facts, and order a safe and sanitary school building to be erected within a reasonable time by the county or city board of education in accordance with the laws of this Commonwealth governing the erection of school houses and the control of disease, and the rules and regulations of the State Board of Health.

A district department of health shall be governed by the members of the county boards of health of the counties which, in accordance with the provisions of this act, have created, established and maintained a district department of health. The members of such county boards of health governing said district department of health are charged with the enforcement of the laws of this Commonwealth relating to disease and the rules and regulations of each county board of health not in conflict with the rules and regulations adopted by the members governing the district department of health and the rules and regulations of the State Board of Health. A majority of all of the members of the county boards of health who have qualified as such, of all of the counties which have created, established and maintained a district department of health, shall constitute a quorum and shall have all the authority to carry out the provisions of this act, and at a meeting called for such a purpose, in accordance with the provisions heretofore mentioned, they shall elect a district health officer for a term of four years at a fixed salary. His compensation, qualifications and duties shall be the same as herein provided for the county health officer of a county which has created, established and maintained a county department of health, except that his activities, authority and jurisdiction shall extend to all of the counties whose boards of health govern the said district department of health. He shall divide his time devoted to the performance of his duties of inspection and visiting schools, sites of epidemics, in the performance of his duties herein provided, reasonably and equitably between the counties composing the district over which he has jurisdiction, in accordance with the rules and regulations adopted by the governing board of said district, which rules and regulations must take into consideration the relative expenditure of money to maintain said district department of health, spent by the counties composing the district.

Said governing board of said district department of health shall also employ at least one assistant in each of the counties within its jurisdiction, to be under the direction of the governing board of said district department of health, who shall have the same qualifications, duties and compensation as are herein provided for the assistant in a county department of health, and more than one assistant may be employed in each county of said district, provided that in no county shall the sum expended for the said district department of health exceed the sum of one-half of one mill to each dollar of the assessed valuation of property listed for taxation in said county and each county.

Said governing board of said district department of health shall provide and furnish an office centrally and conveniently located as determined by such governing board for its meeting place and for conduct of the business of said governing board, as provided heretofore for a county department of health.

Said health officer of said district department of health may be removed from office under the conditions herein prescribed for removal of a county health officer of a county department of health.

(3.) That it shall be the duty of the county and Commonwealth attorneys and the Attorney General, within their respective jurisdictions, to represent the State and local boards of health in all matters relating to the enforcement of the health and medical laws and the performance of the duties of such boards, but when the State Board of Health, in its capacity as guardian of the health and lives of the people, shall deem it necessary, it may employ at its discretion special attorneys and inspectors to assist such officers to perform such duties and pay reasonable compensation for the same from any unexpended funds at its disposal.

(4.) That the sum of ten thousand dollars be, and the same is hereby appropriated, which shall constitute a "contingent fund," any part of which may, from time to time, be

used for preventing the introduction of cholera, yellow fever, epidemic meningitis, infantile paralysis, plague or other pestilence, into this State, or for the suppression thereof if introduced. No part of the ten thousand dollars shall be used for any other purpose than that expressed in this section, nor shall any part thereof be used except upon the approval of the Governor of this Commonwealth; but whenever in the judgment of the Governor it shall be necessary to take action to prevent the introduction or spread of any of said diseases, he is authorized and directed, from time to time, to approve the written order of the board for so much of the ten thousand dollars as may be necessary in favor of the State Board of Health, and on receipt of such order the Auditor shall draw his warrant on the Treasurer for the amount of such orders, and said sum so received by the State Board of Health, or so much thereof as may be necessary, shall be expended by said board in the work of protecting the people of this State against the introduction or spread of these diseases

(5.) It shall be the duty of the council of every city in this State of ten thousand inhabitants or more to appoint a board of health for such city, to consist of six persons, not members of such council, who shall be appointed as follows: Two persons for a term of one year, two persons for a term of two years, and two persons for a term of three years, and at least three of whom shall be competent physicians. The mayor of such city shall be ex-officio a member of such board of health. Upon the expiration of the term of office of any member of a board of health appointed under this section, his successor shall be appointed for a term of three years. Such board of health shall organize within ten days after its appointment, and shall elect a competent physician, who shall be the health officer of such city, and the executive officer of and ex-officio a member of such board of health. Such local board shall have the same powers within its respective cities as local boards for counties are invested with by this chapter.

Provided, that when a county, except one having a city of the first or second class, shall by resolution of its fiscal court or corresponding body, or by a vote of its citizens as herein provided, create, establish and maintain a county or district department of health, such a department of health shall include such cities having a population of ten thousand and over, and no such cities may organize a city board of health, but the health officer of the county or district department of health shall serve, as herein provided, for the entire county or district.

§ 2. That section 2059 as amended and re-enacted shall read as follows:

(1.) Every building or structure, kept, used as, maintained, or advertised as, or held out to the public, to be a place where sleeping accommodations are furnished to the public, whether with or without meals, shall for the purpose of this act be deemed a hotel.

Every building or structure, and all buildings in connection kept, used, or maintained as, or advertised as, or held out to the public to be a place where meals and lunches are served without sleeping accommodations, shall for the purpose of this act be deemed a restaurant and the person or persons in charge thereof whether as owner, lessee, manager or agent for the purpose of this act shall be deemed proprietor of such restaurant, and whenever the word "restaurant" shall occur in this act it shall be construed to mean such structure as herein described.

A bureau of hotel inspection as herein provided is created under the supervision and control of the State Board of Health, which board is hereby charged with the responsibility and given the control of the enforcement of the provisions of this act. It shall keep such records as are necessary for public use and inspection, showing the condition of all hotels and restaurants, together with the name or names of the owner, proprietor or manager thereof, and showing

their sanitary conditions, and any other information that may be for the betterment of the public health, and likewise, shall enforce any orders, requests, rules or regulations promulgated by the State Board of Health.

(2.) Within sixty days after the effective date of this act, and each year thereafter, every person, firm or corporation now engaged in the business of conducting a hotel or restaurant, and every person, firm or corporation who shall herafter engage in conducting such business, must procure an inspector's certificate for each hotel or restaurant so conducted, or proposed to be conducted, provided that one certificate shall be sufficient for each combined hotel and restaurant where each is conducted in the same building and under the same management. Each certificate shall expire on the 31st day of December next following its issuance. That the State Board of Health shall furnish to any person, firm or corporation desiring to conduct a hotel or restaurant an application blank to be filled out by such person, firm or corporation for a certificate therefor, and which shall require such applicant to state the full name and address of the owner of the building, the lessee and manager of such hotel or restaurant, together with the full description of the building and property to be used or proposed to be used for such business, the location of the same, the name under which such business is to be conducted, and such other information as may be required therein by the State Board of Health, and such application shall be accompanied by the inspection fee for hotels of three dollars and an additional charge of twenty five cents for each additional bed room in excess of ten, and for restaurants, three dollars, and an additional charge of twenty-five cents for each five chairs or stools or spaces where persons are fed in excess of ten, but no fee to exceed ten dollars, and all such fees shall be turned in to the State treasury on the first day of January, April, July and October of each year.

Upon the approval of such application by the State Board of Health, a certificate to conduct such business as

such application is made for shall be issued. No hotel or restaurant shall be maintained and conducted in this State after the taking effect of this act without having secured a certificate therefor as herein provided, and no certificate shall be transferable. Provided, however, that after the making of application for a certificate herein provided, and pending the issuance of such certificate, such hotel or restaurant shall be permitted to operate as such until the final refusal of such application by the State Board of Health. Provided also that no hotel or restaurant shall be denied relief in the courts in action instituted by such hotel or restaurant by reason of the fact that a certificate has not been issued to such hotel or restaurant.

(3.) It shall be the duty of the State Board of Health to inspect or cause to be inspected at least once annually every hotel and restaurant in this State, and for such purpose its inspectors shall have the right to enter and have access thereto at any reasonable time, and wherever upon such inspection it shall be found that such business and property so inspected is not being conducted, or is not equipped, in the manner required by the provisions of this act, or is being conducted in such manner as to violate any of the laws of this State or rules and regulations of the State Board of Health governing same, it shall thereupon be the duty of the inspector or board to notify the owner, proprietor or agent in charge of such business, or the owner or agent of the building so occupied, of the conditions so found, and such owner, proprietor or agent shall forthwith comply with the provisions of this act unless, otherwise herein provided, reasonable time may be granted by the said board for compliance with the provisions of this act.

(4.) Every hotel and restaurant in this State shall be properly plumbed, heated, lighted and ventilated, and shall be conducted in every department with strict regard to health, comfort and safety of its guests. Provided that such proper lighting shall be construed to apply to both daylight and arti-

ficial illumination and that such proper plumbing shall be construed to mean that all plumbing and drainage shall be constructed and plumbed according to approved sanitary principles, and such proper ventilation shall be construed to mean at least one door and one window in each sleeping room.

No room shall be used for a sleeping room which does not open to the outside of the building or light wells, air shafts or courts, and all sleeping rooms shall have at least one window to the outside of the building or light wells, air shafts or courts, and shall have one door opening on a hallway.

In each sleeping room there must be at least one window with openings so arranged as to provide easy access to the outside of the building, light wells, air shafts or courts.

In all cities, towns and villages where a system of waterworks and sewerage is maintained for the public use, every hotel and rooming house shall within six months after the passage of this act be equipped with suitable water closets for accommodation of its guests, and such closets shall be connected by proper plumbing with such sewerage system, and the means of flushing such water closets with the water of said system in such manner as provided in the regulations of the State Board of Health. All lavatories, bath tubs, sinks, drains, closets and urinals in such hotels must be connected and equipped in a similar manner, both as to method and time.

In all cities, towns and villages not having a system of waterworks, every hotel shall have properly constructed sanitary privies as provided in the rules and regulations of the State Board of Health.

Each hotel in this State shall be provided with a main public wash room, convenient and of easy access to guests.

All hotels in this State shall hereafter provide each bedroom with at least two clean towels daily for each guest, and shall also provide the main public washroom with clean individual towels, maintaining same in view and reach, and for the use of guests during the regular meal hour, and where no

regular meal hours are maintained, then between the hours of 6:30 a. m. and 9:00 a. m. and 11:30 a. m. and 2:00 p. m. and 6:00 p. m. and 8:00 p. m., so that no two or more guests will be required to use the same towel unless it has first been washed. Such individual towels shall not be less than ten inches wide and fifteen inches long after being washed. Provided, that this shall not prohibit the use of individual paper towels in such washrooms.

All hotels hereafter shall provide each bed, bunk, cot or sleeping place for the use of guests, with pillow slips and under and top sheets; each sheet, on and after the first of January, 1915, shall be made 99 inches long, and of sufficient width to completely cover the mattress and springs; provided, that a sheet shall not be used which measures less than 90 inches after it has been laundered. Said sheets and pillow slips to be made of white cotton or linen, and all such sheets and pillow slips, after being used by one guest, must be washed and ironed before they are used by another guest, a clean set being furnished each succeeding guest.

All bedding, including mattresses, quilts, blankets, pillows, sheets and comforts, used in any hotel in this State must be thoroughly aired, disinfected and kept clean. Provided, that no bedding, including mattresses, quilts, blankets, pillows, sheets or comforts, shall be used which is worn out or unfit for further use.

Any room in any hotel or restaurant infected with vermin or bed bugs shall be fumigated, disinfected and renovated at the expense of the proprietor of the said hotel until said vermin or bedbugs are exterminated.

When any communicable disease shall occur in any room in any hotel or rooming house in this State, such room shall not be occupied until it has been cleaned and disinfected under the supervision of the health officer in accordance with the rules and regulations of the State and local boards of health. All notices to be served by the State Board of Health or one of its inspectors provided for in this act shall be in

writing, and shall be either delivered personally, or by registered letter to the owner, agent, lessee or manager of such hotel or restaurant.

Any person, firm or corporation who shall operate a hotel or restaurant in this State, or who shall let a building used for such business without having first complied with the provisions of this act, or after conviction for any violation of this act as herein provided, or after the cancellation or revocation of such a certificate as herein provided, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than ten dollars nor more than one hundred dollars, or imprisonment in the county jail for not more than ninety days and each day's operation of such hotel or restaurant shall constitute a separate offense.

(5.) The officer or inspector making the inspection or examination shall report such conditions and violations to the State Board of Health, or to the county or city health officer, and such officer or officers shall thereupon issue a written order to the person, firm or corporation responsible for the violation or condition aforesaid to abate such condtiion or violation, or to make such changes or improvements as may be necessary to abate them, within such reasonable time as such order may require. Notice of such order may be served by delivering a copy thereof to said person, firm or corporation, or by sending a copy thereof by registered mail, and the receipt thereof through the postoffice shall be prima facie evidence that notice of said order has been received. Such person, firm or corporation shall have the right to appear in person or by attorney before the board whose officer issued the hearing notice, or the person appointed by it for such purpose, within the time limited in the order, and shall be given an opportunity to be heard and to show why such order or instructions should not be obeyed. Such hearing shall be under such rules and regulations as may be prescribed by the State Board of Health. If after such hearing it shall appear that the provisions or requirements of this act or the

laws of this Commonwealth, have not been violated, said order shall be rescinded. If it shall appear that the provisions or requirements of this act or the laws of this Commonwealth are being violated, and that the person, firm, or corporation notified as aforesaid is responsible therefor, said previous order shall be confirmed or amended, as the facts shall warrant, and shall thereupon be final, but such additional time as is necessary may be granted within which to comply with said final order. If such person, firm or corporation is not present or represented when such final order is made, notice thereof shall be given as above provided. On failure of the party or parties to comply with the first order within the time prescribed, when no hearing is demanded, or upon failure to comply with the final order, within the time specified by the official of the city, county or State Board of Health, the facts shall be certified to the Commonwealth's, county or city attorney of the district in which such violations occurred, and said attorney or other attorney as heretofore provided shall proceed against the party or parties for the fines and penalties provided by this act, and also for the abatement of the nuisance; provided, that the proceedings herein prescribed for the abatement of nuisances as defined in this act shall not in any manner relieve the violator for other violations of the law nor from the penalties for such violation, and

(6.) Whenever the owner, manager or person in charge of any hotel or restaurant shall have been convicted as provided in the preceding section, and shall for a period of sixty days after such conviction fail to comply with any provisions of this act, the certificate granted to such person to conduct business may be cancelled by the State Board of Health.

(7.) Every hotel or restaurant securing a certificate under the provisions of this act shall keep the same posted in a conspicuous place in the office of such hotel or restaurant.

All prosecutions under this act shall be conducted by the county or district attorney of the county in which the offense

was committed, or special attorney employed by the State Board of Health.

§ 3. That section 2060 as amended and re-enacted shall read as follows:

(1.) That it shall be unlawful for any person, persons, firm or corporation within this State to manufacture for sale, produce for sale, expose for sale, have in his or their possession for sale or to sell any article of food or drug which is adulterated or misbranded within the meaning of this act; and any person or persons, firm or corporation who shall manufacture for sale, expose for sale, having in his or their possession for sale or sell any article of food or drug which is adulterated or misbranded within the meaning of this act shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned not to exceed fifty days or both such fine and imprisonment. Provided, that no article of food or drug shall be deemed misbranded or adulterated within the provisions of this act when intended for shipment to any other State or country, when such article is not adulterated or misbranded in conflict with the laws of the United States; but if said article shall be in fact sold or offered for sale for domestic use or consumption within this State, then this proviso shall not exempt said article from the operations of any of the other provisions of this act.

(2.) That the term food, as used in this act, shall include every article used for or entering into the composition of food or drink for man or domestic animals, including all liquors.

(3.) For the purpose of this act, an article of food shall be deemed misbranded:

First. If the package or label shall bear any statement purporting to name any ingredient or substance as not being contained in such article, which statement shall not be true in any part; or any statement purporting to name the sub-

stances of which such article is made, which statement shall not give fully the name or names of all substances, contained in any measurable quantity.

Second. If it is labeled or branded in imitation of or sold under the name of another article, or is an imitation either in package or label of another substance of a previously established name; or if it be labeled or branded so as to deceive or mislead the purchaser or consumer with respect to where the article was made or as to its true nature and substance, or as to any identifying term whatsoever whereby the purchaser or consumer might suppose the article to possess any property or degree of purity or quality which the article does not possess.

Third. If in the case of certified milk, it be sold as or labeled "certified milk," and it has not been so certified under rules and regulations by the State Board of Health, or if when so certified it is not up to that degree of purity and quality necessary for infant feeding.

Fourth. If it be misrepresented as to weight or measure or, if where the length of time the product has been ripened, aged or stored, or if where the length of time it has been kept in tin or other receptacle, tends to render the article unwholesome, the facts of such excessive storage, ripening, aging or packing are not plainly made known to the purchaser and to the consumer.

Fifth. If the package containing it or its label shall bear any statement, design, or device regarding the ingredients or the substances contained therein, which statement, design or device shall be false or misleading in any particular. Provided, that articles of liquor which do not contain any added poisonous or deleterious ingredients shall not be deemed to be adulterated or misbranded within the provisions of this act, in the case of articles labeled, branded or tagged so as to plainly indicate that they are compounds, imitations, or blends, and the word "compound," "imitation," or "blend,"

as the case may be, is plainly stated on the package in which it is offered for sale. Provided, that the term blend as used herein shall be construed to mean a mixture of like substances, not excluding harmless coloring and flavoring ingredients used for the purpose of coloring and flavoring only.

(4.) For the purpose of this act, an article of food shall be deemed to be adulterated:

First. If any substance or substances be mixed or packed with it so as to reduce, lower or injuriously affect its quality or strength. Second. If any substance be substituted wholly or packed with it so as to reduce, lower, or injuriously (affect its quality or strength).

Third. If any valuable constituent of the article has been wholly or in part abstracted; or if the product is below that standard of quality represented to the purchaser or consumer.

Fourth. If it is mixed, colored, coated, polished, powdered, or stained whereby damage is concealed, or if it is made to appear better or of greater value than it is, or if it is colored or flavored in imitation of the genuine color or flavor of another substance of a previously established name.

Fifth. If it contains added poisonous ingredient which may render such article injurious to health, or if it contains any antiseptic or preservative which may render such article injurious to health, or any other antiseptic or preservative not evident or not plainly stated on the main label of the package.

Sixth. If it consists of or is manufactured from in whole or in part of a diseased, contaminated, filthy or decomposed substance, either animal or vegetable, unfit for food, or an animal or vegetable substance produced, stored, transported or kept in a condition that would render the article diseased, contaminated or unwholesome, or if it is any part the product of a diseased animal, or the product of an animal that has died otherwise than by slaughter, or that has been fed upon the offal from a slaughterhouse, or if it is the milk from an animal fed upon a substance unfit for food for dairy animals,

or from an animal kept and milked in a filthy or contaminated stable or in surroundings that would render the milk contaminated. Provided, that any article of food which may be adulterated and not misbranded within the meaning of this act, and which does not contain any added poisonous or deleterious ingredient and which is not otherwise adulterated within the meaning of paragraphs four, five and six of section four of this act, or which does not contain any filler or ingredient which debases without adding food value, can be manufactured or sold, if the same be labeled, branded or tagged so as to show the exact character thereof. And all such labels and all labeling of packages provided for in any provisions of this act shall be on the main label of each package and in such position and character of type and terms as will be plainly seen, read and understood by the purchaser or consumer. Provided, further, that nothing in this act shall be construed as requiring or compelling the proprietors, manufacturers or sellers of proprietary foods which contain no unwholesome substances or ingredients to disclose their trade formulas except in so far as the provisions of this act require to secure freedom from adulteration, imitation or misbranding. But in the case of baking powders, every can or other package shall be labeled so as to show clearly the name of the acid salt which shall be plainly stated on the face of the label to show whether such salt is cream of tartar, phosphate or alum. Provided, further, that nothing in this act shall be construed to prohibit the manufacture or sale of oleomargarine, butterine, or kindred compounds in a separate and distinct form, and in such manner as will advise the consumer of the real character, free from coloration or ingredient that causes it to look like butter.

(5.) That the term drug, as used in this act, shall include al medicines and preparations recognized in the latest revisions of the United States Pharmacopoeia or National Formulary for internal or external use, and any substance intended to be used for the cure, mitigation or prevention of

diseases either of man or other animal, and shall include Paris green and all other insecticides and fungicides.

(6.) That for the purpose of this act, an article of drug shall be deemed to be adulterated:

First. If, when a drug is sold under or by the name recognized in the United States Pharmacopoeia or National Formulary, it differs from the standard of strength, quality or purity, as determined by the tests laid down in the United States Pharmacopoeia or National Formulary official at the time of investigation. Provided, that no drug defined in the United States Pharmacopoeia or National Formulary shall be deemed to be adulterated under this provision if the standard of strength, quality, or purity be plainly stated upon the bottle, box, or other container thereof, although the standard may differ from that made by the test laid down in the United States Pharmacopoeia or National Formulary.

Second. If the strength or purity fall below the professed standard or quality under which it is sold.

Third. If in putting up any drug, medicine or preparation, proprietary or otherwise, used in medical practice, or if in making up a prescription or filling an order for drugs, medicines or preparations, proprietary or otherwise, one article is substituted or dispensed for a different article for or in lieu of the article prescribed, ordered and demanded, or if a greater or less quantity of any ingredient specified in such prescription, order or demand, is used than that prescribed, ordered or demanded, or if it deviates from the terms of the prescription, order or demand by substituting one drug for another. Provided, that except in the case of physicians' prescriptions nothing herein shall be deemed or construed to prevent or impair or in any manner affect the right of the druggist or pharmacist, or other person to recommend the purchase of an article other than that ordered, required or demanded, but of a similar nature, or to sell such article in lieu of an article ordered, required or demanded, with the knowledge and consent of the customer.

(7.) For the purpose of this act, an article of drug shall be deemed to be misbranded:

First. If the package or label bears any statement, design or device regarding such article or drug or regarding any ingredient or substance contained therein which shall be false or misleading in any particular, or if it is falsely branded as to State, territory or country in which it is manufactured or produced.

Second. If it be an imitation of or offered for sale under the name of another article, or if it be labeled, branded, or in any way represented or sold so as to deceive or mislead the purchaser or consumer as to the quality, purity or medicinal value.

Third. If the contents of the package as originally put up, or the contents of the package, box, bottle, phial, can or other container, sold or exposed for sale, delivered, given away, shipped or offered for shipment, shall have been removed in whole or in part, and other contents shall have been placed in such package or box, phial, can or other container, or if when a package or container has been once emptied and new contents placed therin all original labels, marks, brands and identifying marks are not entirely removed or effaced and new labels, marks and brands truthfully describing the new product or products affixed: Provided, that such new contents shall not be like or similar to said original contents.

Fourth. If the package, box, bottle, phial, can or other container shall fail to bear a statement on the label of the quantity or proportion of any alcohol, morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilide, or any derivative, or any preparation of any such substances contained therein. Provided, that nothing in this paragraph shall be construed to apply to the dispensing of prescriptions written by a regularly licensed practicing physician, veterinary surgeon or dentist and kept on file by the dispensing pharmacist or to such drugs as are recognized in the United States Pharma-

copoeia and the National Formulary, and which are sold under the name by which they are recognized. And, provided, further, that this provision shall not be construed as repealing or in conflict with any statute which prohibits the sale of certain drugs except upon a prescription of a physician. And provided, further, that nothing in this act shall be construed as repealing any acts regulating the practices of medicine or pharmacy not in conflict herewith, provided, further, that no prescription shall be knowingly refilled except for the person for whom it was written.

(8.) It shall be the duty of the State Board of Health to make, or cause to be made, examinations of samples of food and drugs manufactured or on sale in Kentucky at such time and place, and to such extent as it may determine. It shall also make, or cause to be made, analysis of any sample of food or drug which it or any health official or the State Board of Pharmacy may suspect of being adulterated or misbranded, and of any sample of food or drug furnished by any Commonwealth's, county or city attorney of this State. And the said board may appoint such agent or agents or inspectors as it may deem necessary, who shall have free access at all reasonable hours for the purpose of examining into places wherein any food or drug product is being produced, manufactured, prepared, kept or offered for sale, for the purpose of determining as to whether or not any of the provisions of this act are being violated, and such agent or agents upon tendering the market price of any article, may take from any person, firm or other corporation, a sample of any article desired for examination.

That the State Board of Health is hereby empowered to adopt and fix the methods by which samples taken under the provisions of this act shall be analyzed or examined and to adopt and fix standards of purity, quality or strength when such standards are necessary or are not specified or fixed herein or by statute. Provided, that such standards shall be published for the information and guidance of the trade; pro-

vided, further, that for the purpose of uniformity, when such standards so fixed differ from the legally adopted standards of the United States Department of Agriculture, the State Board of Health shall arrange for a conference between the proper food control representatives of the United States Department of Agriculture and the board and the representatives of the the trade to be affected, for the purpose of arriving, if possible, at a uniform state and national standard. And provided further, that when the standard or nomenclature for any food or food product has been determined by the Supreme Court of the United States such standard or nomenclature shall govern in the enforcement of the provisions of this act. And provided, further, that at the regular annual meetings of the Kentucky Pharmaceutical Association and the Kentucky Medical Association, each of said associations shall elect one representative, which representatives, together with the State Board of Health, shall make and establish all rules and regulations for the governing and carrying out of the provisions of this act relating to drugs.

(9.) Whenever any article shall have been examined and found to be adulterated or misbranded in violation of this act, the State Board of Health shall certify the facts to the Commonwealth's attorney of the district, or to the county attorney of the county, or the city attorney of any city or town, in which the said adulterated or misbranded food or drug product was found, together with a statement of the results of the examination of said article of food or drug, duly authenticated by the analyst under oath and taken before some officer of this Commonwealth authorized to administer an oath, having a seal. And it shall be the duty of every Commonwealth's attorney, county attorney and city attorney to whom the State Board of Health, or the State Board of Pharmacy, or to whom the chief health officer of any county, town or city shall report any violation, to cause proceedings to be commenced against the party so violating this act, and the same prosecuted in the

manner required by law. Provided, however, that in the case of the first charge or finding, the manufacturer or dealer shall be notified of the finding and be given a hearing within fifteen days before a report is made to the Commonwealth's, county or city attorney as herein provided. Provided, further, that where more than one sample of the same brand of product has been taken and examined, the first finding or charge shall be construed to apply to all samples so taken, and notice and hearing shall apply to all such samples.

(10.) Said board shall make an annual report to the Governor upon adulterated food or drug products in addition to the reports required by law, and such annual reports shall be submitted to the General Assembly at its first regular session, and said board may issue from time to time a bulletin giving the results of the inspections and of all analyses of samples taken or submitted for examination under this act, together with the names of the parties from whom the samples were taken, or where the inspections were made, and as for as possible, the name of the manufacturers, the number of samples found to be adulterated, the number found not to be adulterated, and other information which may be of interest to the manufacturers or dealers in food or drug products or to the consumer. Provided, however, that before such publication is made the manufacturer of the article and the dealer shall be furnished a true copy of the facts to be published regarding the article at least thirty days before the publication and hearing given the dealer and manufacturer, and any true statements or explanations of reasonable length, as determined by said board, made by such manufacturers shall be included in the same place and along with the publication made regarding the article.

(11.) The State Board of Health may provide for the analysis or examination of any sample of food or drug taken or submitted in accordance with the provisions of this act and for procuring samples of foods or drugs and for making in-

spections into the condition and wholesomeness and purity of the food produced, manufactured or sold in food factories, grocery stores, bakeries, slaughter houses, dairies, milk depots or creameries, and all other places where foods are produced, prepared, stored, kept or offered for sale; for studying the problems connected with the production, preparation and sale of foods; investigaitons for standards for expert witnesses attending the grand juries and courts, clerk hire, and all other expenses necessary for carrying out the provisions of said act, including salary of the experts engaged in the work.

That the Kentucky Agricultural Experiment Station shall make, or cause to be made, examinations of samples of foods and drugs manufactured or on sale in Kentucky at such time and to such extent as the State Board of Health may determine, and it shall be paid a fee of five dollars for the analysis or examination of each sample of food or drug submitted to it by the State Board of Health, or as herein provided, provided that such fees shall not exceed fifteen thousand dollars per annum, which shall be paid to the director of said experiment station on a warrant issued by the State Board of Health out of the funds appropriated in this act to the said board, said amounts to be submitted for payment, duly itemized and certified and paid monthly as other accounts of the said board are paid.

(12.) The said board may fix reasonable fees for the examination of samples of food or drugs, or labels for the same, submitted by manufacturers or dealers, for the purpose of determining as to whether any such products or labels comply with the provisions of this law, and reasonable fees for the examination of labels and inquiry into other matters connected with the enforcement of this act, and which may be requested of the said board. And, whenever a sample has been found to be adulterated or misbranded, the said board shall collect a fee, not to exceed fifteen dollars, to cover the costs of investigation or analysis, to be taxed as costs and paid by the mag-

istrate, police judge or clerk of any court in which prosecution is brought, and is in favor of the Commonwealth, to the Auditor of Public Accounts or by the State Board of Health, at civil suit, and all such fees, so collected, shall be paid to the Auditor of Public Accounts and set aside as a fund for the partial maintenance of the appropriation made herein, and for the further enforcement of the act in the event that the fees amount to more than the appropriation made herein.

(13.) The said board shall analyze or cause to be analyzed samples submitted by county and city health officers, provided such samples are submitted in accordance with the terms of the said act; and the board shall have the right to require county and city health officers or food and dairy inspectors to make inspections and to collect and send samples for examination and to call upon all other county and city officials for assistance in carrying this act into effect. As means for further carrying out the provisions of this act, the experts employed under the provisions of this act shall give instruction, free of cost, to any county or city health officer or employe of any county or city health department, who may request the same, in matters pertaining to the inspection and practical remedies for unsanitary conditions in the preparation, storage and sale of foods, examination of samples, and similar matters; and such courses of instruction may be conducted in connection with other sources of instruction at the laboratory of the board or State University or State Normal Schools, or at the annual school for health officers as provided by law.

(14.) When any manufacturer shall offer any article of food or drug for sale in the State, he shall file with the State Board of Health the name of the brand, the name of the product, the place of its manufacture or preparation, and a true copy of all labeling used thereupon. Failure to so file within thirty days shall be punished as provided herein by the laws of this Commonwealth.

(15.) In all prosecutions under this act, the courts shall admit as evidence a guaranty which has been made to the

holder of the guaranty by any manufacturer or wholesaler residing in this state, to the effect that the product complained of is not adulterated or misbranded within the provisions of this act. And said guaranty, properly signed by the wholesaler, jobber or manufacturer or other party residing within this state from whom the holder of the guaranty may have purchased the article or articles complained of, and containing the full name and address of the party or parties making the sale of such article to the holder of the guaranty, and in the absence of any proof that the article or articles complained of were adulterated or misbranded after they had been received by the holder of the guaranty, shall be a bar to prosecution of the holder of such guaranty under the provisions of this act.

(16.) Nothing in this act shall be construed to prohibit the manufacture or sale of colored oleomargarine, butterine or kindred compounds in a separate and distinct form, and in such manner as will advise the consumer or purchaser of the real character of the article, providing the coloring matter or ingredients used in coloring same is harmless, not poisonous and not deleterious to health.

§ 4. That section 2061 as amended and re-enacted shall read as follows:

(1.) The powers and duties of the State Board of Health in the study and prevention of tuberculosis shall be co-extensive with the state, and the objects of its bureau of tuberculosis shall be as follows:

a. The study of this disease in all its forms and relations, and to secure and disseminate information with reference to tuberculosis, to promote and carry on a campaign of education with reference thereto, and in general, to pursue any other activities with reference to informing the public as to the nature of tuberculosis, its dangers and the means whereby its spread may be prevented.

b. Investigation of the prevalence of tuberculosis in Kentucky, and the collecting and publishing of useful information.

c. Securing of proper legislation for the relief and prevention of tuberculosis.

d. Co-operation with the public authorities, state and local boards of health, the National Association for the Study and Prevention of Tuberculosis, medical societies and other organizations in approved measures adopted for the prevention of the disease.

e. To encourage the establishment throughout Kentucky of local associations for the purpose of undertaking in their particular localities the work proposed to be carried on by this board.

f. Encouragement of adequate provision for consumptives by the establishment of sanatoria, hospitals and dispensaries.

(2.) And they shall have full power and authority to carry out and execute all of the foregoing purposes, and, in addition thereto, it shall be the duty of the board to recommend to the proper authorities suitable persons for appointment by it as members of the board of trustees of any sanitoria that may be established under the provisions of this act, and it shall further be their duty to visit, at such periods as in their discretion may be sufficient, any sanatoria that may be established under the provisions of this act, and to recommend to the boards of trustees of such sanatoria any changes in management or in the employes that they may deem necessary and proper, and it shall be their duty, if in the opinion of such board any board of trustees or members of such board or employes under such board of any sanatoria, state or county, are incompetent or neglectful of duty, to prefer charges against such board or such members of such board or such employes under such board. All charges against a board of trustees or a member thereof shall be made to the officer authorized to make

such appointment, and, if he deem such charges adequate and sustained, it shall be his duty to remove such board or such member thereof, and all charges against employes shall be made to the board by whom employed, and, if in the opinion of said board such charges are adequate and sustained, such board shall at once remove such employe or employes.

It shall be the duty of the head of the bureau to visit all sanatoria, both public and private incorporated, at least once during each calendar year and to report and file with their records a statement of the condition and efficiency of each sanatorium.

(3). That sanatoria for the treatment of tuberculosis may be erected and maintained in and by districts in this Commonwealth in the following manner: A district for the erection and maintenance of a tuberculosis sanatorium may consist of one county or of more than one county. The fiscal court of any county may by resolution declare that such county shall be a district for the erection and maintenance of a sanatorium for the treatment of tuberculosis, and said fiscal court upon such resolution being passed shall at once out of the funds of the county appropriate sufficient amount for the erection of such sanatorium, or, if there are not sufficient funds on hand for such appropriation at the time said resolution is adopted, at the next succeeding county levy said court may make such levy as will be sufficient to produce the necessary amount, and shall further make a levy for the maintenance of such sanatorium, and shall annually thereafter make a levy of sufficient amount of tax to pay the annual expenses of maintenance of said institution. The fiscal courts of two or more counties may by resolution duly passed by each court unite said counties into a district for the purpose of establishing therein a sanatorium for the treatment of tuberculosis, and, at the time of passing said resolution, each court shall provide at once an appropriation for its proportion of the cost of erection of such sanatorium to be paid by such county, or, if the funds are not on hand for that pur-

pose, shall at the next regular meeting of the fiscal court at which a county levy is made levy a tax for that purpose, and also levy a tax for the payment of the proportionate part of the annual maintenance of said sanatorium to be paid by such county and shall thereafter make an annual levy of tax sufficient in amount to pay the proportion of the costs of said county for the succeeding year.

Where two or more counties unite to form such district, the first cost of the sanatorium and the cost of all betterments and additions thereto shall be paid by the counties comprising the district in proportion to the taxable property of each county as shown by their respective county assessments. The annual expense of maintaining such institution and the care and treatment of the patients therein shall be borne by each county reasonably and equitably in such amounts as shall be ascertained under rules and regulations to be passed and approved by the State Board of Health aforesaid, which rules and regulations shall be such that the expense shall be borne reasonably and equitably by each of the counties in their proper proportion.

(4.) That if the fiscal court of any county or counties shall fail or refuse to establish a tuberculosis sanatorium district, as herein authoried, the citizens of any county or of two or more counties may have such county or such counties established as a tuberculosis sanatorium district in accordance with the provisions of this act, in the following manner: twenty or more legal voters of such county may file their petition with the county judge of such county that the proposition of establishing such a county as a district for the erection of a sanatorium for the treatment of tuberculosis be submitted to the voters of said county at the next general election which shall be held in said county, provided that such general election does not occur within less than thirty days after the filing of said petition. Each voter signing said petition shall state his full name, and address. Upon the filing of said petition with the county judge, he shall enter

an order directing the publication in full of such petition in the newspaper having the largest circulation in said county at least once a week for four consecutive weeks next preceding such general election, and shall further enter an order directing the clerk of the county court to have placed upon the ballot at such election the question: "Are you in favor of establishing a tuberculosis sanatorium district?" with underneath the words, "Yes" followed by a square, and "No" followed by a square for the placing of the stencil of the voter. If the majority of those voting on the proposition to establish such sanatorium district vote "Yes," then said district shall be established. If the contrary, then it shall not. The vote on such question shall be canvassed and returned by the board of election commissioners for such general election, and such election may be contested as provided by law for other contested elections, by a petition filed in the circuit court of such county by one or more qualified voters of said county who voted "Yes" or "No" as the contest may be had, and to which the members of the fiscal court of the county shall be made defendants, together with such other qualified voters as may have voted contrary to the contestants and desire to be made parties to the contest.

Where the citizens of two or more counties desire to have such counties established into a district for the erection of such sanatorium, not less than twenty qualified legal voters of each county shall file a petition in the county of their residence asking that such district be established and naming the several counties to be united in the district. Such petitions shall be filed in each county of the proposed district and the method of proceeding in each shall be the same as hereinabove provided for one county, except that the same proceeding shall be taken in each county for the general election to be held at the same time in each county. If any one county in the proposed district shall fail to vote "Yes" on the proposition, then said district cannot be established unless by a contest of the election in such county it should be finally determined

that such county had voted "Yes." At the time of filing the petition or petitions, as the case may be, the petitioners shall deposit with the county judge a sufficient sum of money to pay the cost of advertising hereinabove required.

(5.) That the result of any county or district election shall be certified to the fiscal court of such county or to the fiscal court of each of the counties composing said district to be established, and said fiscal court or courts shall, if the result of said election be certified to it or them as in favor of the establishment of such district, forthwith proceed to declare such county or counties a district for the establishment of a sanatorium for the treatment of tuberculosis, and shall proceed to put same into effect in the same manner as the fiscal court or courts are authorized to do upon their own initiative as hereinabove provided, and the cost and expenses of erection and maintenance shall follow in all manners the same as hereinabove provided.

(6.) Upon the creation of a tuberculosis district, the fiscal court of the county or fiscal courts of the several counties, where there are several counties in such district, shall at once notify the State Board of Health of the establishment of such district and thereupon it shall be the duty of the State Board of Health to recommend to the county judge, or, if more than one county, to the county judge of each county, the appointment of suitable persons for such district board of trustees. The district board of trustees where the district shall consist of but one county, shall be composed of seven persons, men and women, at least one of whom shall be a registered physician, and for the purpose of such appointment the State Board of Health shall recommend not less than fourteen names of persons, men and women, duly qualified citizens of such county, for appointment.

Where the district consists of several counties, the district board of trustees shall consist of not less than two nor more than four perons from each county, provided, however, that no board shall consist of less than seven persons. Where

any county in such district shall have a population in excess of 20,000, such county shall be allowed a trustee for each 10,000 in excess of said 20,000 of population, subject, however, to the limitation hereinbefore set down. Said trustees shall consist of men and women and at least one shall be a registered practicing physician. The State Board of Health in recommending names to the county judge or county judges for such appointment shall recommend twice as many names for each county as the county shall be entitled to have trustees appointed, out of which names the county judge shall make his selection for that county.

(7) That the State Board of Health upon the establishment of such district shall select a site for such sanatorium in such part of the district as in their judgment shall be best adapted to the wants of the institution and most economical to the district, having regard in the selection of water supply, drainage, facility of access, with a quality of soil suitable for farming purposes, and price asked for the land, and all plans and specifications for the erection of such building shall be submitted to the said board for its approval, and, if approved by it, such district shall be authorized to proceed at once with the erection of same. If not approved by the said board, then the board shall make such recommendations as to it may seem best and if such recommendations are accepted by the fiscal court or courts of the district, they shall proceed with the erection of a sanatorium in accordance with the recommendations of the board.

(8). That the government of such district sanatorium shall be vested in the board of trustees heretofore provided for, and the terms of office of said persons first appointed by the county judge or county judges, as provided for, shall be as follows: One-third of said number for a period of two years, one-third for a term of three years, and one-third for a term of four years, and where the board shall consist of seven or such number as cannot be divided by three, the number in excess of one-third of the next even number into which said board can be divided shall be appointed for a term of

four years. Thus, where there are seven trustees, two for two years, two for three years, and three for four years. Thereafter, as their terms expire, their successors shall be recommended and appointed in the same manner, but for a term of four years each. Such trustee shall hold office until his or her successor is appointed and qualified. Any vacancy occurring in said board shall be filled for the unexpired term by the county judge of such county by appointment on recommendation of the State Board of Health, from two names from the county in which such vacancy occurs.

(9.) That for the purpose of this act, such district board of trustees and their successors in office shall be a body corporate, under the name and style of district board of tuberculosis sanatorium trustees for ..... county or .....counties, as the case may be, and they shall have all the powers necessary to carry into effect the purpose of this act. Said trustees, as soon as possible after their appointment and qualification, shall adopt a seal, organize by electing a president and secretary and treasurer to serve for two years and until their successors are elected and qualified, but the same person may be elected to serve both as secretary and treasurer and need not be a member of the board of trustees, and said secretary and treasurer shall give bond to the Commonwealth for the faithful performance of his or their duties and for the proper handling of all of the properties, assets and moneys of the institution that may come into his or their hands at any time in such sum and in such form and with such sureties as said district board of trustees shall approve. Said secretary and treasurer may at any time be removed and a successor appointed by said district board of trustees in its discretion. A majority of said district board of trustees shall constitute a quorum.

(10.) That the fiscal court or courts of a county or counties composing such district shall from time to time as the tax levies for the purposes of said sanatorium are collected, appropriate same to the use of such sanatorium and shall direct the county treasurer to pay the amount of such appropriation

to the secretary of said sanatorium, and to take the receipt of said secretary, countersigned by the president of said sanatorium as his voucher therefor.

(11.) That said board of trustees, as heretofore created, shall have the general control of the property and affairs of the sanatorium, and shall take such action as may be necessary to carry out the purposes of this act. That the members of the board of trustees shall receive no compensation for their services, but they shall be reimbursed for their actual expenses incurred in the performance of their duties, upon vouchers duly approved by the board of trustees, signed by the secretary and countersigned by the president thereof. That there shall be a thorough visitation of said sanatorium by two of the trustees thereof monthly, and by the whole of the board annually. On each of these occasions a written report of the state of the institution shall be submitted to them by the superintendent of the sanatorium. On the first Friday in June of each year there shall be held the regular annual meeting of the board of trustees, at which the superintendent of the sanatorium, the secretary and treasurer thereof shall each submit a report of the affairs of the sanatorium in such forms as may be prescribed by the State Board of Health, and the secretary and treasurer shall also submit a statement of his accounts, and the reports of the superintendent and secretary and treasurer, and the latter's statement of accounts shall be transmitted in duplicate by the board, with their annual report, to the State Board of Health, and by said board with its recommendation thereon to the Governor for approval, and the financial part and such other parts of said report as may be selected shall be included by said board of health in its reports to the General Assembly.

(12.) That the district board of trustees shall appoint a medical superintendent of the sanatorium for tuberculosis not a member of said board, who shall be a legally qualified physician. He shall be a graduate in medicine and surgery, and of acknowledged skill in his profession, and must have had a special training and experience in a hospital or sanatorium

for tuberculosis, and such medical superintendent shall, in all matters pertaining to the sanatorium, be under the general supervision of the board of trustees, who may remove him at any time for cause upon written charges preferred and after he has been given an opportunity to be heard in his own behalf, and appoint his successor. That the district board of trustees shall have power to establish such by-laws as it may deem necessary and expedient from time to time for defining the duties of officers, assistants or employees, for fixing the conditions of admission to the institution, support and discharge of patients, and for conducting in a proper manner the professional and business affairs of the sanatorium, and also to ordain and enforce a suitable system of rules and regulations for the internal government, discipline and management of the sanatorium.

(13.) That no person shall be received into said sanatorium as a patient, unless said person shall have been a resident of Kentucky and of said district for at least twelve months next preceding the application for admission into said sanatorium, and no person entitled to be admitted as above shall be received as a free patient in said sanatorium, unless said person shall file with his or her application for admission into said sanatorium a certificate of the county judge of the county of which such a person is a resident, stating that from evidence submitted to said county judge, he is of the opinion that such applicant is unable to pay for maintenance in said sanatorium. The board of trustees of said sanatorium shall have power to provide by rule, the character of examination to which any applicant for admission into said sanatorium shall submit before being received into said sanatorium for the purpose of ascertaining whether or not such applicant is suffering from tuberculosis. No greater number of persons shall be admitted to said institution than can be properly taken care of and treated. As nearly as it may be done, each county of the district shall have the right to have admitted its proper and proportionate number of free patients, who are unable to pay their maintenance in said sanatorium. The ex-

penses of conveying indigent patients to the sanatorium shall be paid by the county of which said patient is a resident.

(14.) That where patients who have been, or may be maintained in said sanatorium have or shall acquire estate which can be subjected to debt, the county attorney of such county of said patient's residence is authorized and directed in every such case to sue them in the name of said sanatorium, and recover the amount of such patient's maintenance, or so much thereof as such estate will suffice to pay for the time such patients shall have been kept and maintained therein, and not otherwise paid for, and by proper proceedings subject their estates respectively, for the payment thereof; and when the husband, wife or parent of any such patient, who has been or may be supported in said sanatorium, shall have estate sufficient for the support of such patient, in addition to the support of any other persons, who may be dependent on such husband or parent, in like manner to sue and recover from such husband or parent the amount of his wife's maintenance, from such wife the amount of her husband's maintenance from such parent the amount of his or her child's maintenance, at the rate aforesaid for the time that they shall have been respectively maintained by said sanatorium, and the statute of limitations providing the time in which actions for such recovery may be instituted shall not run against recovery herein provided for until from and after the time at which said estate is acquired. Such suit shall create a lis pendens lien, and if judgment is obtained, such judgment shall constitute a lien upon so much of the patient's estate as is described in the petition, and said county attorney shall be allowed a fee of 15 per cent. of the amount collected for his services.

(15.) That if at any time the accommodations of the sanatorium will permit the treatment and cure of patients in excess of the indigent patients sent by the various counties or other counties as hereinbefore provided, suffering from tuberculosis who are able to pay for their care and maintenance, or who have persons or kindred bound by law to maintain them, may be admitted to the sanatorium, and the

charges for the care and support of such patients shall be paid by the corporation through the medical superintendent for such patients, persons or kindred, at a rate to be determined by the board of trustees of said sanatorium. Before such persons shall be admitted to the said sanatorium, for the purpose of determining whether or not they are afflicted with tuberculosis, they shall submit to such an examination as the board of trustees may by rule determine. That the medical superintendent shall be the chief executive officer of the sanatorium. He shall have the general superintendence of the buildings, grounds, furniture fixtures, stock, and the direction and control of all persons therein, subject to the by-laws and regulations prescribed by the district board of trustees. He or his representative shall daily ascertain the condition of each and all the patients and prescribe or direct their treatment. He shall cause full and fair records of all his official acts and the entire business and operation of the sanatorium to be kept regularly from day to day, in the manner and to the extent prescribed by the by-laws; and he shall see that all the accounts and records are fully made up to the last day, and present the same to the board of trustees at their annual meeting. It shall be the duty of the medical superintendent to admit any member of the board of trustees, or any member or officer of the State Board of Health at any time into every part of the sanatorium, and to exhibit to him or them on demand all the books, papers, accounts, and writings belonging to the sanatorium, or pertaining to its business management, discipline or government. He shall make at the time of reception of patients a record of the date of same, name, age, residence, occupation, and such other statistics in regard to every patient admitted to the sanatorium as the by-laws may require. The medical superintendent shall have power to appoint, with the advice and consent of the board of trustees, whenever in their discretion it seems necessary, an assistant physician or physicians, each of whom shall be a legally qualified physician, a

graduate in medicine and surgery from some medical college recognized as in good standing by the State Board of Health and of acknowledged skill in the medical profession. The medical superintendent shall also have power to remove such assistant physician or physicians, with the consent of the board of trustees. The medical superintendent shall have the power and authority to employ any servant or employees at the sanatorium, all of whom shall be under his direct supervision, and any of whom may be removed by him at will. All moneys collected by the medical superintendent shall be immediately paid over by him to the treasurer of the sanatorium, and his receipt be taken therefor. No fees or money of any kind shall be collected by the medical superintendent or any employees of said sanatorium, from any patient for services rendered such person while a patient in said sanatorium. That no member of the board of trustees of said sanatorium and no employee thereof, shall be interested, directly or indirectly, in any contract, or receive any benefit directly or indirectly, from any contract made with said sanatorium.

(16.) That the secretary or treasurer, as provided in the by-laws, shall have the custody of all moneys, bonds, notes, mortgages and other securities and obligations belonging to said sanatorium, and moneys shall be disbursed only for the uses and purposes of the sanatorium and in the manner prescribed by the by-laws or itemized vouchers allowed by the board of trustees, and signed by the secretary and countersigned by the president. He shall keep full and accurate accounts of all receipts and payments in the manner directed by the by-laws and such other accounts as the board of trustees shall prescribe; he shall render statements of accounts of the several books, and of the funds and other property in his custody whenever required so to do by the board of trustees. He shall have all accounts and records fully made up to the last day preceding the annual meeting, and present the same to the board of trustees at their annual meeting.

(17.) That the fiscal court of any county in lieu of providing for the erection of a district sanatorium for tuberculosis, may contract with the district board of trustees of any other district where such sanatorium has been constructed for the care and treatment of the residents of such county who are suffering from tuberculosis, and the fiscal court of the county in which such patients reside shall pay to the sanatorium of the district receiving such patients the actual cost incurred in their care and treatment and other necessaries, and shall also pay for their transportation, and shall pay such further sum to such sanatorium as the board of trustees may under proper rules and regulations provide, and all sanatoria established under this act shall at all reasonable times keep open for the inspection of the State Inspector and Examiner, all of its records and books of accounts.

(18.) That it being the intention of the General Assembly in enacting this law to enact each section of this act separately, if any section or any proviso contained in any section of it shall be held to be invalid, such fact shall not affect the remaining portion of said act or section, it being the intention of the legislature to enact each section and each proviso thereto separately.

(19.) That the State Board of Health is hereby authorized in its co-operation with the national, State, or other sanitary or philanthropic organizations, for the preservation and protection of the health and efficiency of the people of this Commonwealth, to accept funds from the National Congress, or any branch of the national health service, including the army, navy or National Red Cross, or other organizations or individuals, upon a per cent or other basis, and to expend the same to increase the efficiency of the health service of the State, or of any county in the State where the fiscal court or other public or private organizations shall provide a fund upon the percentage or other basis for health work within such county; provided that all funds received or expended under this section shall be accounted for entirely

separate from and in addition to the appropriation made for the use of the board in this act, and that itemized statements of all such expenditures shall be included in the reports made by the board to each session of the General Assembly, as required by law for other public expenditures.

(20.) All existing local boards and health officers shall remain in office until removed as herein provided, or until their respective terms expire and their successors shall be appointed as herein provided.

(21.) All acts and part of acts in conflict herewith are hereby repealed.

(22.) Whereas, the public funds are being spent for unnecessary duplication of work, an emergency is declared to exist and this act shall take effect from and after its approval by the Governor.

Mr. Brown moved that the rules be suspended, that H. B. 373 be recommitted to the Committee on Public Health, and that Senate Bill No. 259 be taken from the orders of the day and substituted in the place and stead of said H. B. 373, and placed upon its passage.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

S. B. 259. An act relating to public health, repealing, amending and re-enacting sections 2054, 2059, 2060 and 2061 of the Kentucky Statutes, Carroll's edition of 1915, relating to the State Board of Health, creating bureaus within said board to perform the functions of the existing State Tuberculosis Commission, the Hotel Inspector, the Pure Food and Drug Division of the Agricultural Experiment Station and for other purposes creating county and district departments of health and providing and limiting the appropriations of

the State Board of Health and further defining its powers and duties.

Said bill reads as follows, viz.:

Whereas, accurate official reports from all of the counties in Kentucky for the seven years the vital statistics law has been in operation show a steady average of sixty per cent of sickness and forty-seven per cent of deaths from communicable diseases, which with existing knowledge can and ought to be prevented, more than one-half of this sickness and these deaths occurring in persons in, or just approaching, the most productive period of life, many of them young mothers and fathers; and,

Whereas, official reports to the Judge Advocate General of the United States army during the operation of the recent draft law show that one-third of the young men of Kentucky between the ages of twenty and thirty years have such physical defects as render them unfit for service to our country in time of need; and,

Whereas, ninety-four per cent of these defects are shown to have been remediable by the application of simple methods of preventive treatment; and,

Whereas, many of these young men are as definitely unfitted for effective, productive citizenship as they are for soldiers; and,

Whereas, the fiscal condition of the Commonwealth demands that all its affairs shall be conducted with the strictest regard for economy and efficiency and with the use of as few offices and officers as can do the absolutely necessary work; and,

Whereas, most of the functions of government in a democratic Commonwealth should be performed and conducted by the smaller units of the people themselves, and under their immediate supervision; and,

Whereas, this can be done by consolidating all existing activities in the state performing health functions, and by codifying the health laws so that all their duties will be imposed on one central authority, in the interest of both efficiency, and economy; now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That sections 2054, 2059, 2060 and 2061 of the Kentucky Statutes, Carroll's edition of 1915, relating to the State Board of Health, be amended by striking out all of said sections and inserting in lieu thereof such words that each of said sections, respectively, when so amended and re-enacted, shall read as follows:

§ 1. That section 2054, as amended and re-enacted, shall read as follows: (1.) That the sum of twenty-five thousand dollars per annum, or so much thereof as may be found necessary by the State Board of Health, is hereby appropriated for the use of such board to establish and maintain:

a. A bureau of tuberculosis for the study, prevention and treatment of that disease.

b. A bureau of vital statistics, that the causes of sickness and mortality and records of births may be promptly reported, utilized and permanently recorded.

c. A bureau of pure food and drugs, to protect the people from adulterations, substitutions and misbranding, and dangers from these products.

d. A bureau of sanitation, for the practical utilization of health knowledge in preventing and restricting the spread of the communicable diseases and in abating and minimizing the causes of sickness, including venereal diseases, and for the study and control of unsanitary housing, hotel and rooming conditions, and for the protection of the rivers, creeks, water sheds, springs, wells and the regulation of sewers, household waste and other matters relating to the sources of purity of the water supplies in every section, and the board is em-

powered in its rules and regulations to provide for the protection and purification of the same.

e. A bureau of epidemiology and bacteriology to aid in the study, early diagnosis, location and prevention of epidemics and communicable sickness.

f. A bureau of hotel inspection for the inspection of hotels and restaurants of this Commonwealth to determine their sanitary condition, and make such reports and take such action as may be necessary to protect the health and lives of the public under the laws of this Commonwealth and the rules and regulations of the state and local boards of health.

And pay the salaries of its secretary and the heads of these bureaus, who shall be elected for a term of four years, and of such clerks, stenographers, inspectors and other employes as it may find actually necessary, and to pay the traveling and such other expenses of the board as it may find necessary in the proper discharge of its duties; an itemized list of all expenditures under this act to be made in its report to the General Assembly.

To arrange for an annual school for county and city health officers, at some centrally located place, for systematic instruction in the best practical method for preventing the diseases above named, and other public health work, said school to continue in session at least three days; and it shall be the duty of each city and county health officer to attend and take part in such schools unless prevented by an epidemic in his city or county, or for other reasons satisfactory to the officials conducting the school, and it shall be the duty of each fiscal court or city council to pay the actual necessary expenses incurred by its health officer in attending such schools, upon certificate duly attested by the State Board of Health of actual attendance during the entire period for which such school is held and that the charges are reasonable.

All warrants and vouchers under this act shall be signed by the president and countersigned by the secretary of the

board, and duplicates of all vouchers, and an itemized statement of expenditures, shall be filed with the Auditor of Public Accounts. The secretary shall give bond in the sum of ten thousand dollars, from a reliable bonding company, the fee of which shall be paid by said board, for the faithful performance of his duties and the proper accounting for all funds coming into his hands, and said bond shall be filed with the Auditor of Public Accounts. The total expenses of the board shall not exceed the sum hereby appropriated, except for the public printing of said board, which shall be paid for outside of this appropriation, as other public printing is now paid.

(2.) Physicians appointed as health officers for cities and counties shall receive reasonable compensation for their services, to be allowed by the councils, or fiscal courts of the cities or counties, and to be paid as other city and county officers are paid, and such officers may be removed at any time by the local boards appointing them. It shall be the duty of such local authority to transmit to the office of the state board the name and post office address of each officer appointed by it. Any head of a family who wilfully fails or refuses or any physician who shall fail or refuse to report to the local board of health cases of cholera, smallpox, yellow fever, scarlet fever, diphtheria or other epidemic diseases as provided for in section 2055, Kentucky Statutes, Carroll's edition of 1915, shall be fined not less than ten, nor more than one hundred dollars for each day he neglects or refuses to report, and repeated failure to report as herein provided, including reports of births and deaths, shall be sufficient cause for the revocation of a physician's certificate to practice medicine in this Commonwealth.

And be it further enacted that a county or district health department for the prevention and control of epidemics and communicable sickness, as may be determined by the State Board of Health, may be created, established and maintained in and by counties or districts in this Commonwealth in the following manner:

A district for the creation, establishment and maintenance of a county or district health department may consist of one county, or two or more counties contiguous to each other. The fiscal court of any county, or the body exercising the functions of the fiscal court, may by resolution, at a regular session, declare that such county shall be a district for the creation, establishment and maintenance of a county health department, and said fiscal court, upon such resolution being passed, shall at once, out of the funds of the county, appropriate a sufficient amount for the creation, establishment and maintenance of such a county health department, hereinafter described and set forth and defined. Or, if there are not sufficient funds on hand for such appropriation at the time said resolution is adopted, at the next succeeding county levy such court shall make such levy as will be sufficient to produce the necessary amount of tax for the creation, establishment and maintenance of said county department of health, and shall further make a levy for the maintenance of such department of health, and shall annually thereafter make a levy of sufficient amount of tax to pay the annual expenses of maintenance of said county department of health; provided, that after such resolution is entered, the voters within thirty days may enter their protest against same by filing with the county judge a petition signed by twenty legal voters requesting that the establishment of such a county health department be done by the vote of the people of such county as herein provided.

The fiscal courts of two or more contiguous counties may, by resolution, which shall be in full force and effect for two years awaiting the action of the fiscal court of one or more contiguous counties to unite in the formation of such a district health department, duly passed by a majority vote of members present, by each court, unite said counties into a district for the purpose of creating, establishing and maintaining a district department of health for the prevention and control of epidemics and communicable sickness, as de-

termined by the State Board of Health. Said each court, at the time of passing said resolution shall provide an appropriation for its proportion of the cost of the creation, establishment and maintenance of such district health department, to be paid by such county, or, if the funds are not on hand for that purpose, shall, at the next regular meeting of such fiscal court, at which a county levy is made, levy a tax for that purpose, and also levy a tax for the payment of the proportionate part of the annual maintenance of said district department of health, to be paid by such county, and shall thereafter make an annual levy of tax sufficient in amount to pay its proportion of the costs to said county for the succeeding year.

Where two or more counties unite to form such district, the first cost of creating and establishing said district department of health and the cost of the equipment as may be necessary to comply with the provisions of this act shall be paid by the counties comprising the district in proportion to the taxable property of each county as shown by their respective county assessments. The annual expense of maintenance, as set forth in this act, of such district health department, shall be borne by each county reasonably and equitably in such amounts as shall be ascertained under rules and regulations of the State Board of Health, which rules and regulations shall be such that the expense shall be borne reasonably and equitably by each of the counties in proportion to the amount of the taxable property of each county.

If the fiscal court or body exercising the functions of the fiscal court of any county or counties shall fail or refuse to establish a county or district department of health, as herein authorized, the citizens of any county, or of two or more contiguous counties, may have such county or such contiguous counties established as a county or district department of health in accordance with the provisions of this act in the following manner: A number of legal voters equal to ten per cent of the total number of votes cast at the last regular election of

such county may file their petition with the county judge of such county asking that the proposition of establishing such county as a district for the creation, establishment and maintenance of a county or district department of health for the prevention and control of epidemics and communicable sickness, as determined by the State Board of Health, be submitted to the voters of said county at the next regular election which shall be held in said county, provided that such general election does not occur within less than thirty days after the filing of said petition. Each voter signing said petition shall state his full name and adddress. Upon the filing of said petition with the county judge, he shall enter an order directing the publication in full of such petition in the newspaper having the largest circulation in said county at least once a week for four consecutive weeks next preceding such general election, and shall further enter an order directing the clerk of the county court to have placed upon the ballot at such election the question, "Are you in favor of establishing a county department of health?" with underneath the words "Yes," followed by a square and "No" followed by a square, for the placing of the stencil of the voter. If the majority of those voting on the proposition to establish such county department of health vote "Yes," then said department of health for said county shall be created, established and maintained. If the contrary, then it shall not. The vote on such question shall be canvassed and returned by the Board of Election Commissioners for such general election, and such election may be contested as provided by law for other contested elections, by a petition filed in the circuit court of such county by one or more qualified voters of said county who vote "Yes" or "No" as the contest may be had, and to which the members of the fiscal court of the county shall be made defendants, together with such other qualified voters as may have voted contrary to the contestants and desire to be made parties to the contest.

Where the citizens of two or more contiguous counties desire to have created, established and maintained a district department of health for the prevention and control of epidemics and unnecessary sickness, in said counties, not less than twenty qualified legal voters of each county shall file a petition in the county of their residence, asking that such a district department of health be created, established and maintained, naming the several counties to be united in creating, establishing and maintaining such a district department of health. Such petitions shall be filed in each county of the proposed district department of health, and the method of proceeding in each shall be the same as hereinabove provided for one county, except that the same proceeding shall be taken in each county for the general election to be held at the same time in each county, and the question placed upon the ballot shall read: "Are you in favor of establishing a district department of health?" If any one of said counties in the proposed district shall fail to vote "Yes" on the proposition, then said district department cannot be established unless by a contest of the election in such county it should be finally determined that such county had voted "Yes." At the time of filing the petition or petitions, as the case may be, the petitioners shall deposit with the county judge a sufficient sum of money to pay the cost of advertising hereinabove required.

The result of any county election for the creation, establishment and maintenance of a county or district department of health shall be certified to the fiscal court of such county or to the fiscal court of each of the counties in which said department of health is to be created, established and maintained, and said fiscal court or courts shall, if the result of said election be certified to it or them as in favor of the creation, establishment and maintenance of said county or district department of health, forthwith proceed to declare such county or counties a district for the establishment of a county or district department of health, and shall proceed to put same into

effect in the same manner as a fiscal court or courts are authorized to do upon their own initiative as hereinabove provided, and the cost and expenses of its creation, establishment and maintenance shall follow in all manners the same as hereinabove provided.

Upon the creation of such county or district department of health, the fiscal court of the county, or the fiscal courts of the several counties, where more than one county took action as herein provided to create, establish and maintain a district health department, shall at once notify the State Board of Health of the action of the county or counties to create, establish and maintain a county or district health department.

It is further provided that such a district department of health may be established in two or more contiguous counties if one or more said counties shall by resolution duly passed by its fiscal court or body assuming the functions of the fiscal court declares its intention of creating, establishing and maintaining a district health department in two or more contiguous counties, and the other or remaining county or counties may, by a vote of its citizens, as herein provided, so determine to create said district department of health. Provided that when a county, by a vote of its citizens, shall vote in a general election, as herein provided, against creating, establishing and maintaining a county or district department of health, said department of health may not, by resolution of its fiscal court, be so created, established or maintained until after the expiration of the terms of office of the members of said fiscal court or corresponding body of such a county, who were members of said fiscal court or corresponding body of such a county, who were members of said court or body when such an election was held.

It shall be the duty of the State Board of Health at once to notify the secretary of the county board or boards of health to call a meeting of the county board or boards of health for

the purpose of organizing the county or district department of health, which is described, defined and set forth as follows:

A county department of health shall be governed by the members of the county board of health who as heretofore provided are charged with the enforcement of the health laws of this Commonwealth and the rules and regulations of the state and county boards of health, and, at the meeting of the county board of health called for the purpose of organizing said county department of health, a majority of the qualified members constituting a quorum with the full authority of the board, it shall elect a health officer, who shall be a legally qualified physician, and who shall, in a book to be provided for the purpose, keep full minutes of its proceedings. He shall be a graduate in medicine and surgery from some medical college, recognized as in good standing by the State Board of Health and must have had at least six months' special training in preventive medicine and public health work in some school or college in good standing as recognized by the State Board of Health; he shall be required to devote his whole time to the duties of his office and is prohibited from the practice of his profession for compensation from his patients; he shall be paid a reasonable salary of not less than two thousand dollars nor more than three thousand dollars per annum and the necessary expenses for traveling in the performance of his duties. It shall be his duty to execute the orders of the county board of health, the laws of this Commonwealth governing disease and the rules and regulations of the state and local boards of health. He shall be elected for a term of four years at a fixed annual salary to be paid at regular intervals as other county officials are paid. He may at any time be removed for cause made known to him in writing after a hearing by the county board of health, at which he may be represented by counsel and in case of dismissal he shall have the right of appeal to the State Board of Health, which may, at its meeting, a quorum being present, confirm or reject the action of the county board of health, in which case its action is final, unless its

action is set aside by action through the courts of competent jurisdiction.

The county board of health may also employ not less than one assistant to the health officer of the board, who shall be skilled in the care of the sick and trained in the best methods of preventive medicine, nor more than three assistants, except counties having cities of the first and second class, in which case one assistant may be employed for each ten thousand population, provided that in no case the total amount expended in any county shall exceed one-half of one mill for each dollar of assessed valuation of property for taxation in such county; and in the event a county is unable, with said maximum expenditure of money, to maintain a county department of health according to the permanent standards herein fixed, it may not create, establish and maintain a county department of health alone, but may unite with one or more counties as herein provided, to create, establish and maintain a district department of health.

The county board of health may also provide an office suitably furnished for its meetings and to conduct its business, and conveniently located as determined by it. It shall be the duty of the health officer in the laboratory of the county department of health in the office of said board to make chemical and bacteriological examinations of milk and water of all dairies, sources of drinking water suspected of being dangerous to the public health, and so ordered by the county or state board of health; he shall be prepared to make examinations of blood, sputum, discharges from the nose, throat, kidneys, skin and bones, for the detection of the cause of malaria, tuberculosis, diphtheria, typhoid fever, dysentery, hookworm disease, pneumonia and such others as may be fixed by the county or state board of health. The health officer shall also keep properly safeguarded a supply of fresh smallpox virus, typhoid vaccine for the prevention of typhoid fever, for free distribution and use for the citizens of the county, and a supply of fresh diphtheria antitoxin, which shall be sold at whole-

sale cost for use upon any citizen of the county, and where any person unable to purchase them within the county is found suffering from diphtheria or has be neexposed to smallpox or typhoid fever, it shall be the duty of the county board of health to furnish free such diphtheria antitoxin, smallpox virus or typhoid vaccine as may be needed to protect the health and lives of the people of the county, and it shall be the duty of the health officer or assistant to administer promptly these curative and preventive agents.

The county health officer shall make frequent trips of inspection to all parts of the county to determine and remove causes of sickness. He shall visit the schools of the county and make such inspections of surroundings, premises or inmates as the county or state boards of health may determine are necessary to protect the public from communicable diseases. If in school examinations of children for defective eyesight, hearing, diseased tonsils and teeth and adenoids, such conditions be found either by himself or his assistant, a confidential report in writing shall be made to the parent or guardian of such child or children, calling attention to the defect or disease and requesting that such condition be corrected.

The health officer shall make a physical, chemical and bacteriological examination of the drinking water used by school children and if dangerous to their health, the county or state board of health may order that a supply of pure water be furnished at the expense of the county or city board of education. If in the opinion of such board the premises are constructed in violation of the law and are found to be unsanitary or unsafe for the housing of children, the local or state board of health may institute an action in the circuit court of the county where the building is situated and the court, after due hearing and verifying the facts, may order a safe and sanitary school building to be erected within a reasonable time by the county or city board of education in accordance with the laws of this Commonwealth governing the erection of school houses and

the control of disease, and the rules and regulations of the State Board of Health.

A district department of health shall be governed by the members of the county boards of health of the counties which, in accordance with the provisions of this act, have created, established and maintained a district department of health. The members of such county boards of health governing said district department of health are charged with the enforcement of the laws of this Commonwealth relating to disease and the rules and regulations of each county board of health not in conflict with the rules and regulations adopted by the members governing the district department of health and the rules and regulations of the State Board of Health. A majority of all of the members of the county boards of health who have qualified as such, of all of the counties which have created, established and maintained a district department of health, shall constitute a quorum and shall have all the authority to carry out the provisions of this act, and at a meeting called for such a purpose, in accordance with the provisions heretofore mentioned, they shall elect a district health officer for a term of four years at a fixed salary. His compensation, qualifications and duties shall be the same as herein provided for the county health officer of a county which has created, established and maintained a county department of health, except that his activities, authority and jurisdiction shall extend to all of the counties whose boards of health govern the said district department of health. He shall divide his time devoted to the performance of his duties of inspection and visiting schools, sites of epidemics, in the performance of his duties herein provided, reasonably and equitably between the counties composing the district over which he has jurisdiction, in accordance with the rules and regulations adopted by the governing board of said district, which rules and regulations must take into consideration the relative expenditure of money to maintain said district department of health, spent by the counties composing the district.

Said governing board of said district department of health shall also employ at least one assistant in each of the counties within its jurisdiction, to be under the direction of the governing board of said district department of health, who shall have the same qualifications, duties and compensation as are herein provided for the assistant in a county department of health, and more than one assistant may be employed in each county of said district, provided that in no county shall the sum expended for the said district department of health exceed the sum of one-half of one mill to each dollar of the assessed valuation of property listed for taxation in said county and each county.

Said governing board of said distreit department of health shall provide and furnish an office centrally and conveniently located as determined by such governing board for its meeting place and for the conduct of the business of said governing board, as provided heretofore for a county department of health.

Said health officer of said district department of health may be removed from office under the conditions herein prescribed for removal of a county health officer of a county department of health.

(3.) That it shall be the duty of the county and Commonwealth attorneys and the Attorney General, within their respective jurisdictions, to represent the State and local boards of health in all matters relating to the enforcement of the health and medical laws and the performance of the duties of such boards, but when the State Board of Health, in its capacity as guardian of the health and lives of the people, shall deem it necessary, it may employ at its discretion special attorneys and inspectors to assist such officers to perform such duties and pay reasonable compensation for the same from any unexpended funds at its disposal.

(4.) That the sum of ten thousand dollars be, and the same is hereby appropriated, which shall constitute a "contingent fund," any part of which may, from time to time, be

used for preventing the introduction of cholera, yellow fever, epidemic meningitis, infantile paralysis, plague or other pestilence, into this State, or for the suppression thereof if introduced. No part of the ten thousand dollars shall be used for any other purpose than that expressed in this section, nor shall any part thereof be used except upon the approval of the Governor of this Commonwealth; but whenever in the judgment of the Governor it shall be necessary to take action to prevent the introduction or spread of any of said diseases, he is authorized and directed, from time to time, to approve the written order of the board for so much of the ten thousand dollars as may be necessary in favor of the State Board of Health, and on receipt of such order the Auditor shall draw his warrant on the Treasurer for the amount of such orders, and said sum so received by the State Board of Health, or so much thereof as may be necessary, shall be expended by said board in the work of protecting the people of this State against the introduction or spread of these diseases.

(5.) It shall be the duty of the council of every city in this State of ten thousand inhabitants or more to appoint a board of health for such city, to consist of six persons, not members of such council, who shall be appointed as follows: Two persons for a term of one year, two persons for a term of two years, and two persons for a term of three years, and at least three of whom shall be competent physicians. The mayor of such city shall be ex-officio a member of such board of health. Upon the expiration of the term of office of any member of a board of health appointed under this section, his successor shall be appointed for a term of three years. Such board of health shall organize within ten days after its appointment, and shall elect a competent physician, who shall be the health officer of such city, and the executive officer of and ex-officio a member of such board of health. Such local board shall have the same powers within its respective cities as local boards for counties are invested with by this chapter. Provided, that when a county, except one having a

city of the first or second class, shall by resolution of its fiscal court or corresponding body, or by a vote of its citizens as herein provided, create, establish and maintain a county or district department of health, such a department of health shall include such cities having a population of ten thousand and over, and no such cities may organize a city board of health, but the health officer of the county or district department of health shall serve, as herein provided, for the entire county or district.

§ 2. That section 2059 as amended and re-enacted shall read as follows:

(1.) Every building or structure, kept, used as, maintained, or advertised as, or held out to the public, to be a place where sleeping accommodations are furnished to the public, whether with or without meals, shall for the purpose of this act be deemed a hotel.

Every building or structure, and all buildings in connection kept, used, or maintained as, or advertised as, or held out to the public to be a place where meals and lunches are served without sleeping accommodations, shall for the purpose of this act be deemed a restaurant and the person or persons in charge therof of whether as owner, lessee, manager or agent for the purpose of this act shall be deemed proprietor of such restaurant and whenever the word "restaurant" shall occur in this act it shall be construed to mean such structure as herein described.

A bureau of hotel inspection as herein provided is created under the supervision and control of the State Board of Health, which board is hereby charged with the responsibility and given the control of the enforcement of the provisions of this act. It shall keep such records as are necessary for public use and inspection, showing the condition of all hotels and restaurants, together with the name or names of the owner, proprietor or manager thereof, and showing their sanitary conditions, and any other information that may be for

the betterment of the public health, and likewise, shall enforce any orders, requests, rules or regulations promulgated by the State Board of Health.

(2.) Within sixty days after the effective date of this act, and each year thereafter, every person, firm or corporation now engaged in the business of conducting a hotel or restaurant, and every person, firm or corporation who shall herafter engage in conducting such business, must procure an inspector's certificate for each hotel or restaurant so conducted, or proposed to be conducted, provided that one certificate shall be sufficient for each combined hotel and restaurant where each is conducted in the same building and under the same management. Each certificate shall expire on the 31st day of December next following its issuance. That the State Board of Health shall furnish to any person, firm or corporation desiring to conduct a hotel or restaurant an application blank to be filled out by such persons, firm or corporation for a certificate therefor, and which shall require such applicant to state the full name and address of the owner of the building, the lessee and manager of such hotel or restaurant, together with the full description of the building and property to be used or proposed to be used for such business, the location of the same, the name under which such business is to be conducted, and such other information as may be required therein by the State Board of Health, and such application shall be accompanied by the inspection fee for hotels of three dollars and an additional charge of twenty-five cents for each additional bed room in excess of ten, and for restaurants, three dollars, and an additional charge of twenty-five cents for each five chairs or stools or spaces where persons are fed in excess of ten, but no fee to exceed ten dollars, and all such fees shall be turned into the State treasury on the first day of January, April, July and October of each year.

Upon the approval of such application by the State Board of Health, a certificate to conduct such business as such

application is made for shall be issued. No hotel or restaurant shall be maintained and conducted in this State after the taking effect of this act without having secured a certificate therefor as herein provided, and no certificate shall be transferable. Provided, however, that after the making of application for a certificate herein provided, and pending the issuance of such certificate, such hotel or restaurant shall be permitted to operate as such until the final refusal of such application by the State Board of Health. Provided also that no hotel or restaurant shall be denied relief in the courts in action instituted by such hotel or restaurant by reason of the fact that a certificate has not been issued to such hotel or restaurant.

(3.) It shall be the duty of the State Board of Health to inspect or cause to be inspected at least once annually every hotel and restaurant in this State, and for such purpose its inspectors shall have the right to enter and have access thereto at any reasonable time, and wherever upon such inspection it shall be found that such business and property so inspected is not being conducted, or is not equipped, in the manner required by the provisions of this act, or is being conducted in such manner as to violate any of the laws of this State or rules and regulations of the State Board of Health governing same, it shall thereupon be the duty of the inspector or board to notify the owner, proprietor or agent in charge of such business, or the owner or agent of the building so occupied, of the conditions so found, and such owner, proprietor or agent shall forthwith comply with the provisions of this act unless, otherwise herein provided, reasonable time may be granted by the said board for compliance with the provisions of this act.

(4.) Every hotel and restaurant in this State shall be properly plumbed, heated, lighted and ventilated, and shall be conducted in every department with strict regard to health, comfort and safety of its guests. Provided that such proper lighting shall be construed to apply to both daylight and

artificial illumination and that such proper plumbing shall be construed to mean that all plumbing and drainage shall be constructed and plumbed according to approved sanitary principles, and such proper ventilation shall be construed to mean at least one door and one window in each slepeing room.

No room shall be used for a sleeping room which does not open to the outside of the building or light wells, air shafts or courts, and all sleeping rooms shall have at least one window to the outside of the building or light wells, air shafts or courts, and shall have one door opening on a hallway.

In each sleeping room there must be at least one window with openings so arranged as to provide easy access to the outside of the building, light wells, air shafts or courts.

In all cities, towns and villages where a system of waterworks and sewerage is maintained for the public use, every hotel and rooming house shall within six months after the passage of this act be equipped with suitable water closets for accommodation of its guests, and such closets shall be connected by proper plumbing with such sewerage system, and the means of flushing such water closets with the water of said system in such manner as provided in the regulations of the State Board of Health. All lavatories, bath tubs, sinks, drains, closets and urinals in such hotels must be connected and equipped in a similar manner, both as to method and time.

In all cities, towns and villages not having a system of waterworks, every hotel shall have properly constructed sanitary privies as provided in the rules and regulations of the State Board of Health.

Each hotel in this State shall be provided with a main public wash room, convenient and of easy access to guests.

All hotels in this State shall hereafter provide each bedroom with at least two clean towels daily for each guest, and shall also provide the main public washroom with clean individual towels, maintaining same in view and reach, and

for the use of guests during the regular meal hour, and where no regular meal hours are maintained, then between the hours of 6:30 a. m. and 9:00 a. m. and 11:00 a. m. and 2:00 p. m. and 6:00 p. m. and 8:00 p. m., so that no two or more guests will be required to use the same towel unless it has first been washed. Such individual towels shall not be less than ten inches wide and fifteen inches long after being washed. Provided, that this shall not prohibit the use of individual paper towels in such washrooms.

All hotels hereafter shall provide each bed, bunk, cot or sleeping place for the use of guests, with pillow slips and under and top sheets; each sheet, on and after the first of January, 1915, shall be made 99 inches long, and of sufficient width to completely cover the mattress and springs; provided, that a sheet shall not be used which measures less than 90 inches after it has been laundered. Said sheets and pillow slips to be made of white cotton or linen, and all such sheets and pillow slips, after being used by one guest, must be washed and ironed before they are used by another guest, a clean set being furnished each succeeding guest.

All bedding, including mattresses, quilts, blankets, pillows, sheets and comforts, used in any hotel in this State must be thoroughly aired, disinfected and kept clean. Provided, that no bedding, including mattresses, quilts, blankets, pillows, sheets or comforts, shall be used which are worn out or unfit for further use.

Any room in any hotel or restaurant infected with vermin or bed bugs shall be fumigated, disinfected and renovated at the expense of the proprietor of the said hotel until said vermin or bed bugs are exterminated.

When any communicable disease shall occur in any room in any hotel or rooming house in this State, such room shall not be occupied until it has been cleaned and disinfected under the supervision of the health officer in accordance with the rules and regulations of the State and local boards of health.

All notices to be served by the State Board of Health or one of its inspectors provided for in this act shall be in writing, and shall be either delivered personally, or by registered letter to the owner, agent, lessee or manager of such hotel or restaurant.

Any person, firm or corporation who shall operate a hotel or restaurant in this State, or who shall let a building used for such business without having first complied with the provisions of this act, or after conviction for any violation of this act as herein provided, or after the cancellation or revocation of such a certificate as herein provided, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than ten dollars nor more than one hundred dollars, or imprisonment in the county jail for not more than ninety days and each day's operation of such hotel or restaurant shall constitute a separate offense.

(5.) The officer or inspector making the inspection or examination shall report such conditions and violations to the State Board of Health, or to the county or city health officer, and such officer or officers shall thereupon issue a written order to the person, firm or corporation responsible for the violation or condition aforesaid to abate such condition or violation, or to make such changes or improvements as may be necessary to abate them, within such reasonable time as such order may require. Notice of such order may be served by delivering a copy thereof to said person, firm or corporation, or by sending a copy thereof by registered mail, and the receipt thereof through the post office shall be prima facie evidence that notice of said order has been received. Such person, firm or corporation shall have the right to appear in person or by attorney before the board whose officer issued the hearing notice, or the person appointed by it for such purpose, within the time limited in the order, and shall be given an opportunity to be heard and to show why such order or instructions should not be obeyed. Such hearing shall be under such rules and regulations as may be prescribed by

the State Board of Health. If after such hearing it shall appear that the provisions or requirements of this act or the laws of this Commonwealth, have not been violated, said order shall be rescinded. If it shall appear that the provisions or requirements of this act or the laws of this Commonwealth are being violated, and that the person, firm or corporation notified as aforesaid is responsible therefor, said previous order shall be confirmed or amended, as the facts shall warrant, and shall thereupon be final, but such additional time as is necessary may be granted within which to comply with said final order. If such person, firm or corporation is not present or represented when such final order is made, notice thereof shall be given as above provided. On failure of the party or parties to comply with the first order within the time prescribed, when no hearing is demanded, or upon failure to comply with the final order, within the time specified by one official of the city, county or state board of health, the facts shall be certified to the Commonwealth's, county or city attorney of the district in which such violations occurred, and said attorney or other attorney as heretofore provided shall proceed against the party or parties for the fines and penalties provided by this act, and also for the abatement of the nuisance; provided, that the proceedings herein prescribed for the abatement of nuisances as defined in this act shall not in any manner relieve the violator for other violations of the law nor from the penalties for such violations, and,

(6.) Whenever the owner, manager or person in charge of any hotel or restaurant shall have been convicted as provided in the preceding section, and shall, for a period of sixty days after such conviction, fail to comply with any provisions of this act, the certificate granted to such person to conduct business may be cancelled by the State Board of Health.

(7.) Every hotel or restaurant securing a certificate under the provisions of this act shall keep the same posted in a conspicuous place in the office of such hotel or restaurant.

All prosecutions under this act shall be conducted by the county or district attorney of the county in which the offense was committed, or special attorney employed by the State Board of Health.

§ 3. That section 2060, as amended and re-enacted, shall read as follows:

(1.) That it shall be unlawful for any person, persons, firm or corporation within this state to manufacture for sale, produce for sale, expose for sale, have in his or their possession for sale or to sell any article of food or drug which is adulterated or misbranded within the meaning of this act, and any person or persons, firm or corporation who shall manufacture for sale, expose for sale, have in his or their possession for sale or sell any article of food or drug which is adulterated or misbranded within the meaning of this act shall be fined not less than ten dollars nor more than one hundred dollars, or be imprisoned not to exceed fifty days or both such fine and imprisonment; provided, that no article of food or drug shall be deemed misbranded or adulterated within the provisions of this act when intended for shipment to any other state or country, when such article is not adulterated or misbranded in conflict with the laws of the United States; but if said article shall be in fact sold or offered for sale for domestic use or consumption within this state, then this proviso shall not exempt said article from the operations of any of the other provisions of this act.

(2.) That the term food, as used in this act, shall include every article used for or entering into the composition of food or drink for man or domestic animals, including all liquors.

(3.) For the purpose of this act, an article of food shall be deemed misbranded:

First. If the package or label shall bear any statement purporting to name any ingredient or substance as not being

contained in such article, which statement shall not be true in any part; or any statement purporting to name the substances of which such article is made, which statement shall not give fully the name or names of all substances, contained in any measurable quantity.

Second. If it is labeled or branded in imitation of or sold under the name of another article, or is an imitation either in package or label of another substance of a previously established name; or if it be labeled or branded so as to deceive or mislead the purchaser or consumer with respect to where the article was made or as to its true nature and substance, or as to any identifying term whatsoever whereby the purchaser or consumer might suppose the article to possess any property or degree of purity or quality which the article does not possess.

Third. If in the case of certified milk, it be sold as or labeled "certified milk," and it has not been so certified under rules and regulations by any county medical society, or if when so certified it is not up to that degree of purity and quality necessary for infant feeding as determined by rules and regulations of the State Board of Health.

Fourth. If it be misrepresented as to weight or measure, or if where the length of time the product has been ripened, aged or stored, or if where the length of time it has been kept in tin or other receptacle, tends to render the article unwholesome, the facts of such excessive storage, ripening, aging or packing are not plainly made known to the purchaser and to the consumer.

Fifth. If the package containing it or its label shall bear any statement, design or device regarding the ingredients or the substances contained therein, which statement, design or device shall be false or misleading in any particular; provided, that articles of liquor which do not contain any added poisonous or deleterious ingredients shall not be deemed to be adulterated or misbranded within the provisions of this act, in the

case of articles labeled, branded or tagged so as to plainly indicate that they are compounds, imitations, or blends, and the word "compound," "imitation," or "blend," as the case may be, is plainly stated on the package in which it is offered for sale; provided, that the term blend as used herein shall be construed to mean a mixture of like substances, not excluding harmless coloring and flavoring ingredients used for the purpose of coloring and flavoring only.

(4.) For the purpose of this act, an article of food shall be deemed to be adulterated:

First. If any substance or substances be mixed or packed with it so as to reduce, lower or injuriously affect its quality or strength.

Second. If any substance be substituted wholly or packed with it so as to reduce, lower, or injuriously (affect its quality or strength).

Third. If any valuable constituent of the article has been wholly or in part abstracted; or if the product is below that standard of quality represented to the purchaser or consumer.

Fourth. If it is mixed, colored, coated, polished, powdered, or stained whereby damage is concealed, or if it is made to appear better or of greater value than it is, or if it is colored or flavored in imitation of the genuine color or flavor of another substance of a previously established name.

Fifth. If it contains added poisonous ingredients which may render such article injurious to health, or if it contains any antiseptic or preservative which may render such article injurious to health, or any other antiseptic or preservative not evident or not plainly stated on the main label of the package.

Sixth. If it consists of or is manufactured from in whole or in part of a diseased, contaminated, filthy or decomposed substance, either animal or vegetable, unfit for food, or an animal or vegetable substance produced, stored, transported or kept in a condition that would render the article diseased,

contaminated or unwholesome, or if it is any part the product of a diseased animal, or the product of an animal that has died otherwise than by slaughter, or that has been fed upon the offal from a slaughterhouse, or if it is the milk from an animal fed upon a substance unfit for food for dairy animals, or from an animal kept and milked in a filthy or contaminated stable or in surroundings that would render the milk contaminated. Provided, that any article of food which may be adulterated and not misbranded within the meaning of this act, and which does not contain any added poisonous or deleterious ingredient and which is not otherwise adulterated within the meaning of paragraphs four, five and six of section four of this act, or which does not contain any filler or ingredient which debases without adding food value, can be manufactured or sold, if the same be labeled, branded or tagged so as to show the exact character thereof. And all such labels and all labeling of packages provided for in any provisions of this act shall be on the main label of each package and in such position and character of type and terms as will be plainly seen, read and understood by the purchaser or consumer. Provided, further, that nothing in this act shall be construed as requiring or compelling the proprietors, manufacturers or sellers of proprietary foods which contain no unwholesome substances or ingredients to disclose their trade formulas except in so far as the provisions of this act require to secure freedom from adulteration, imitation or misbranding. But in the case of baking powders, every can or other package shall be labeled so as to show clearly the name of the acid salt which shall be plainly stated on the face of the label to show whether such salt is cream of tartar, phosphate or alum. Provided, further, that nothing in this act shall be construed to prohibit the manufacture or sale of oleomargarine, butterine or kindred compounds in a separate and distinct form, and in such manner as will advise the consumer of the real character, free from coloration or ingredient that causes it to look like butter.

(5.) That the term drug, as used in this act, shall include all medicines and preparations recognized in the latest revisions of the United States Pharmacopoeia or National Formulary for internal or external use, and any substance intended to be used for the cure, mitigation or prevention of diseases either of man or other animal, and shall include Paris green and all other insecticides and fungicides.

(6.) That for the purpose of this act an article of drug shall be deemed to be adulterated:

First. If, when a drug is sold under or by the name recognized in the United States Pharmacopoeia or National Formulary, it differs from the standard of strength, quality or purity, as determined by the tests laid down in the United States Pharmacopoeia or National Formulary official at the time of investigation. Provided, that no drug defined in the United States Pharmacopoeia or National Formulary shall be deemed to be adulterated under this provision if the standard of strength, quality or purity be plainly stated upon the bottle, box or other container thereof, although the standard may differ from that made by the test laid down in the United States Pharmacopoeia or National Fromulary.

Second. If the strength or purity fall below the professed standard or quality under which it is sold.

Third. If in putting up any drug, medicine or preparation, proprietary or otherwise, used in medical practice, or if in making up a prescription or filling an order for drugs, medicines or preparations, proprietary or otherwise, one article is substituted or dispensed for a different article for or in lieu of the article prescribed, ordered and demanded, or if a greater or less quantity of any ingredient specified in such prescription, order or demand, is used than that prescribed, ordered or demanded, or if it deviates from the terms of the prescription, order or demand by substituting one drug for another. Provided, that except in the case of physicans' prescriptions nothing herein shall be deemed or construed to pre-

vent or impair or in any manner affect the right of the druggist or pharmacist, or other person to recommend the purchase of an article other than that ordered, required or demanded, but of a similar nature, or to sell such article in lieu of an article ordered, printed, required or demanded, with the knowledge and consent of the customer.

(7.) For the purpose of this act, an article of drug shall be deemed to be misbranded:

First. If the package or label bears any statement, design or device regarding such article or drug or regarding any ingredient or substance contained therein which shall be false or misleading in any particular, or if it is falsely branded as to state, territory or country in which it is manufactured or produced.

Second. If it be an imitation of or offered for sale under the name of another article, or if it be labeled, branded, or in any way represented or sold so as to deceive or mislead the purchaser or consumer as to the quality, purity or medicinal value.

Third. If the contents of the package as originally put up, or the contents of the package, box, bottle, phial, can or other container, sold or exposed for sale, delivered, given away, shipped or offered for shipment, shall have been removed in whole or in part, and other contents shall have been placed in such package or box, phial, can or other container, or if whe a package or container has been once emptied and new contents placed therein all original labels, marks, brands and identifying marks are not entirely removed or effaced and new labels, marks and brands truthfully describing the new product or products affixed; provided, that such new contents shall not be like or similar to said original contents.

Fourth. If the package, box, bottle, phial, can or other container shall fail to bear a statement on the label of the quantity or proportion of any alcohol, morphine, opium,

cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate or acetanilide, or any derivative, or any preparation of any such substances contained therein. Provided, that nothing in this paragraph shall be construed to apply to the dispensing of prescriptions written by a regularly licensed practicing physician, veterinary surgeon or dentist and kept on file by the dispensing pharmacist or to such drugs as are recognized in the United States Pharmacopoeia and the National Formulary, and which are sold under the name by which they are recognized. And, provided, further, that this provision shall not be construed as repealing or in conflict with any statute which prohibits the sale of certain drugs except upon a prescription of a physician. And, provided, further, that nothing in this act shall be construed as repealing any acts regulating the practices of medicine or pharmacy not in conflict herewith. Provided, further, that no prescription shall be knowingly refilled except for the person for whom it was written.

(8.) It shall be the duty of the State Board of Health to make, or cause to be made, examinations of samples of food and drugs manufactured or on sale or dispensed in Kentucky at such time and place, and to such extent as it may determine. It shall also make or cause to be made, analysis of any sample of food or drug which it or any health official or the State Board of Pharmacy may suspect of being adulterated or misbranded, and of any sample of food or drug furnished by any Commonwealth's, county or city attorney of this state. And the said board may appoint such agent or agents or inspectors as it may deem necessary, who shall have free access at all reasonable hours for the purpose of examining into places wherein any food or drug product is being produced, manufactured, prepared, kept or offered for sale or dispensed for the purpose of determining as to whether or not any of the provisions of this act are being violated, and such agent or agents upon tendering the market price of any article, may take from

any person, firm or other corporation, a sample of any article desired for examination.

That the State Board of Health is hereby empowered to adopt and fix the methods by which samples taken under the provisions of this act shall be analyzed or examined and to adopt and fix standards of purity, quality or strength when such standards are necessary or are not specified or fixed herein by statute. Provided, that such standards shall be published for the information and guidance of the trade. Provided, further, that for the purpose of uniformity, when such standards are so fixed differ from the legally adopted standards of the United States Department of Agriculture, the State Board of Health shall arrange for a conference between the proper food control representatives of the United States Department of Agriculture and the board and the representatives of the trade to be affected, for the purpose of arriving, if possible, at a uniform state and national standard. And, provided further, that when the standard or nomenclature for any food or food product has been determined by the Supreme Court of the United States such standard or nomenclature shall govern in the enforcement of the provisions of this act. And provided that all rules and regulations for the governing and carrying out of the provisions of this act relating to drugs shall be made and established by a committee of three persons composed of the director of the experiment station, the president of the State Board of Health and the pharmacist member of said board.

(9.) Whenever any article shall have been examined and found to be adulterated or misbranded in violation of this act, the State Board of Health shall certify the facts to the Commonwealth's attorney of the district, or to the county attorney of the county, or the city attorney of any city or town, in which the said adulterated or misbranded food or drug produced was found, together with a statement of the results of the examination of said article of food or drug, duly authenticated

by the analyst under oath and taken before some officer of this Commonwealth authorized to administer an oath, having a seal. And it shall be the duty of every Commonwealth's attorney, county attorney and city attorney to whom the State Board of Health, or the State Board of Pharmacy, or to whom the chief health officer of any county, town or city shall report any violation, to cause proceedings to be commenced against the party so violating this act, and the same prosecuted in the manner as required by law. Provided, however, that in the case of the first charge or finding, the manufacturer or dealer shall be notified of the finding and be given a hearing within fifteen days before a report is made to the Commonwealth's, county or city attorney as herein provided. Provided, further, that where more than one sample of the same brand of product has been taken and examined, the first finding or charge shall be construed to apply to all samples so taken, and notice and hearing shall apply to all such samples.

(10.) Said board shall make an annual report to the Governor upon adulterated food or drug products in addition to the reports required by law, and such annual reports shall be submitted to the General Assembly at its first regular session, and said board may issue from time to time a bulletin giving the results of the inspections and of all analyses of samples taken or submitted for examination under this act, together with the names of the parties from whom the samples were taken, or where the inspections were made, and as far as possible, the name of the manufacturer, the number of samples found to be adulterated, the number found not to be adulterated, and other information which may be of interest to the manufacturers or dealers in food or drug products or to the consumer. Provided, however, that before such publication is made the manufacturer of the article and the dealer shall be furnished a true copy of the facts to be published regarding the article at least thirty days before the publication and hearing given the dealer and manufacturer, and any

true statements or explanations of reasonable length, as determined by said board, made by such manufacturers, shall be included in the same place and along with the publication made regarding the article.

(11.) The State Board of Health may provide for the analysis or examination of any sample of food or drug taken or submitted in accordance with the provisions of this act, and for procuring samples of food or drugs and for making inspection into the condition and wholesomeness and purity of the food produced, manufactured or sold in food factories, grocery stores, bakeries, slaughter houses, dairies, milk depots or creameries, and all other places where foods are produced, prepared, stored, kept or offered for sale; for studying the problems connected with the production, preparation and sale of foods; investigations for standards, expert witnesses attending the grand juries and courts, clerk hire, and all other expenses necessary for carrying out the provisions of this act, including salary of the experts employed in the work.

That the Experiment Station of the University of Kentucky, in its chemical, bacteriological or research laboratories that are, or may be, established, shall make such analytical, chemical or bacteriological examinations of samples of foods, drugs or their labels as herein provided; drinking water, ice, sewage, specimens of fluids, discharges or excretions from the body of humans or other animals suspected of being diseased, to determine the presence of typhoid fever, meningitis, tuberculosis, venereal diseases, pneumonia, diphtheria, and such other diseases as may be named by the State Board of Health; the brains of animals for examination for rabies; that may be submitted to said station by the State Board of Health in the discharge of said board's duties, and shall conduct promptly and efficiently this and such other laboratory work for the State Board of Health as the laws of the Commonwealth require of said board.

In the presence of an outbreak, or impending outbreak, of cholera, yellow fever, plague, cerebro-spinal meningitis, infantile paralysis or other pestilence said laboratory shall equip and conduct such an emergency laboratory at any place as may be needed or demanded by the State Board of Health for the prompt location, diagnosis and suppression of such pestilence, the cost of which laboratory to be paid out of the "contingent fund" provided herein for the use of said board for such purposes.

The University of Kentucky shall employ a director of the laboratories for the work of the board, whose qualifications shall include technical and scientific training and experience in public health work, and if at any time, the board finds that such director is incompetent, neglectful or unsuited for the work, upon the written request of said board, the University of Kentucky shall forthwith employ another director to be chosen as herein provided. The University may appoint such assistants as may be necessary for the conduct of the work of the laboratories. The compensation of said director and assistants shall be paid in the same manner as instructors, in the University of Kentucky, from the funds provided in this act.

The director of said laboratory or laboratories, at the direction of the State Board of Health, shall keep and furnish such a supply of shipping and mailing containers and other laboratory equipments and supplies as may be necessary to execute the work of the board, provided the total cost to the said station as may be set forth in an itemized statement to the board, shall not exceed the sum of money paid to said station by the board as provided herein.

The said station shall be paid the sum of eighteen thousand dollars per annum for conducting the work of the State Board of Health as herein provided, out of the fees collected under section 2 of this act (Section 2059 of the Kentucky Statutes) and section 3 of this act (section 2060 of the Kentucky Statutes) which amount shall be exclusive of the appropria-

tion of seventy-five thousand dollars herein provided. And in the event the said fees do not amount to said sum of eighteen thousand dollars, the State Board of Health shall pay the balance out of its appropriation. Said amount of eighteen thousand dollars shall be paid in equal monthly installments of one thousand five hundred dollars by the treasurer of this Commonwealth to the treasurer of the said University of Kentucky upon a warrant issued by the Auditor, who shall issue such a warrant upon the receipt of a voucher from the State Board of Health certifying to the amount due said Experiment Station of the University of Kentucky, as other accounts of the said board are paid.

(12.) The said board may fix reasonable fees for the examination of samples of foods or drugs, or labels for the same, submitted by manufacturers or dealers, for the purpose of determining as to whether any such products or labels comply with the provisions of this law, and reasonable fees for the examination of labels and inquiry into other matters connected with the enforcement of this act, and which may be requested of the said board. And, whenever a sample has been found to be adulterated or misbranded, the said board shall shall collect a fee, not to exceed fifteen dollars, to cover the costs of investigation or analysis, to be taxed as costs and paid by the magistrate, police judge, or clerk of any court in which prosecution is brought, and is in favor of the Commonwealth, to the Auditor of Public Accounts or by the State Board of Health, at civil suit, and all such fees, so collected, shall be paid to the Auditor of Public Accounts and set aside as a fund for the partial maintenance of the appropriation made herein, and for the further enforcement of the act in the event that the fees amount to more than the appropriation made herein.

(13.) The said board shall analyze or cause to be analyzed samples submitted by county and city health officers, provided such samples are submitted in accordance with the terms of the said act; and the board shall have the right to require

county and city health officers or food and dairy inspectors to make inspections and to collect and send samples for examination and to call upon all other county and city officials for assistance in carrying this act into effect. As means for further carrying out the provisions of this act, the experts employed under the provisions of this act shall give instruction, free of cost, to any county or city health officer or employe of any county or city health department, who may request the same, in matters pertaining to the inspection and practical remedies for unsanitary conditions in the preparation, storage and sale of foods, examination of samples, and similar matters; and such courses of instruction may be conducted in connection with other sources of instruction at the laboratory of the board of State University or State Normal Schools, or at the annual school for health officers, as provided by law.

(14.) When any manufacturer shall offer any article of food or drug for sale in the state, he shall file with the State Board of Health the name of the brand, the name of the product, the place of its manufacture or preparation, and a true copy of all labeling used thereupon. Failure to so file within thirty days shall be punished as provided herein by the laws of this Commonwealth.

(15.) In all prosecutions under this act, the courts shall admit as evidence a guaranty which has been made to the holder of the guaranty by any manufacturer or wholesaler residing in this state, to the effect that the product complained of is not adulterated or misbranded within the provisions of this act. And said guaranty, properly signed by the wholesaler, jobber or manufacturer or other party residing within this state from whom the holder of the guaranty may have purchased the article or articles complained of, and containing the full name and address of the party or parties making the sale of such article to the holder of the guaranty, and in the absence of any proof that the article or articles complained of were adulterated or misbranded after they had been received

by the holder of the guaranty, shall be a bar to prosecution of the holder of such guaranty under the provisions of this act.

(16.) Nothing in this act shall be construed to prohibit the manufacture or sale of colored oleomargarine, butterine or kindred compounds in a separate and distinct form, and in such manner as will advise the consumer or purchaser of the real character of the article, providing the coloring matter or ingredient used in coloring same is harmless, not poisonous and not deleterious to health.

§ 4. That section 2061, as amended and re-enacted shall read as follows:

(1.) The powers and duties of the State Board of Health in the study and prevention of tuberculosis shall be co-extensive with the state, and the objects of its bureau of tuberculosis shall be as follows:

a. The study of this disease in all its forms and relations, and to secure and disseminate information with reference to tuberculosis, to promote and carry on a campaign of education with reference thereto, and in general, to pursue any other activities with reference to informing the public as to the nature of tuberculosis, its dangers and the means whereby its spread may be prevented.

b. Investigation of the prevalence of tuberculosis in Kentucky, and the collecting and publishing of useful information.

c. Securing of proper legislation for the relief and prevention of tuberculosis.

d. Co-operation with the public authorities, state and local boards of health, the National Association for the Study and Prevention of Tuberculosis, medical societies and other organizations in approved measures adopted for the prevention of the disease.

e. To encourage the establishment throughout Kentucky of local associations for the purpose of undertaking in their particular localities the work proposed to be carried on by this board.

f. Encouragement of adequate provision for consumptives by the establishment of sanatoria, hospitals and dispensaries.

(2.) And they shall have full power and authority to carry out and execute all of the foregoing purposes, and, in addition thereto, it shall be the duty of the board to recommend to the proper authorities suitable persons for appointment by it as members of the boards of trustees of any sanatoria that may be established under the provisions ofthis act, and it shall further be their duty to visit at such periods as in their discretion may be sufficient, any sanatoria that may be established under the provisions of this act, and to recommend to the boards of trustees of such sanatoria any changes in management or in the employes that they may deem necessary and proper, and it shall be their duty, if in the opinion of such board any board of trustees or members of such board or employes under such board of any sanatoria, state or county, are incompetent or neglectful of duty to prefer charges against such board or such member of such board or such employes under such board. All charges against a board of trustees or a member thereof shall be made to the officer authorized to make such appointment, and, if he deem such charges adequate and sustained, it shall be his duty to remove such board or such member thereof, and all charges against employes shall be made to the board by whom employed, and, if in the opinion of said board such charges are adequate and sustained, such board shall at once remove such employe or employes.

It shall be the duty of the head of the bureau to visit all sanatoria, both public and private incorporated, at least once during each calendar year and to report and file with their records a statement of the condition and efficiency of each sanatorium.

(3.) That sanatoria for the treatment of tuberculosis may be erected and maintained in and by districts in this Commonwealth in the following manner: A district for the erection

and maintenance of a tuberculosis sanatorium may consist of one or more counties. The fiscal court of any county may by resolution declare that such county shall be a district for the erection and maintenance of a sanatorium for the treatment of tuberculosis, and said fiscal court, upon such resolution being passed, shall immediately take steps to provide for the construction, equipment and maintenance of such sanatorium. The fiscal courts of two or more counties may by resolution duly passed by each court, unite said counties into a district for the purpose of establishing therein a sanatorium for the treatment of tuberculosis. Upon the passage of said resolution, each court shall immediately take steps to provide for the construction, equipment and maintenance of said sanatorium, as is provided in this act.

(4.) If the fiscal court of any county or counties shall fail or refuse to establish a tuberculosis sanatorium district, as herein authorized, the citizens of any county or of two or more counties may have such county or counties established as a tuberculosis sanatorium district in accordance with the provisions of this act, in the following manner: A number equivalent to ten per cent of the votes cast at the last general election of such county may file their petition with the county judge of such county asking that the proposition of establishing such county as a district for the erection of a sanatorium for the treatment of tuberculosis be submitted to the voters of said county at the next general election which shall be held in said county, provided that such general election does not occur within less than thirty days after the filing of said petition. Each voter signing said petition shall state his full name and address. Upon the filing of said petition with the county judge he shall enter an order directing the publication in full of such petition in the newspaper having the largest circulation in said county at least once a week for four consecutive weeks next preceding such general election, and shall further enter an order directing the clerk of the county court to have

placed upon the ballot at such election the question, "Are you in favor of establishing a tuberculosis sanatorium district?" with underneath the words, "Yes," followed by a square, and "No," followed by a square for the placing of the stencil of the voter. If the majority of those voting on the proposition to establish such sanatorium district vote "Yes," then said district shall be established. If the contrary, then it shall not. The vote on such question shall be canvassed and returned by the board of election commissioners for such general election, and such election may be contested as provided by law for other contested elections, by a petition filed in the circuit court of such county by one or more qualified voters of said county who voted "Yes" or "No" as the contest may be had, and to which the members of the fiscal court of the county shall be made defendants, together with such other qualified voters as may have voted contrary to the contestants and desire to be made parties to the contest.

Where the citizens of two or more counties desire to have such counties established into a district for the erection of such sanatorium, not less than a number equivalent to ten per cent of the votes cast at the last general election of each county shall file a petition in the county of their residence asking that such district be established and naming the several counties to be united in the district. Such petition shall be filed in each county of the proposed district and the method of proceeding in each shall be the same as hereinbefore provided for one county, except that the same proceeding shall be taken in each county for the general election to be held at the same time in each county. If any one county in the proposed district shall fail to vote "Yes" on the proposition, then said district cannot be established unless by a contest of the election in such county it should be finally determined that such county had voted "Yes." At the time of filing the petition or petitions, as the case may be, the petitioners shall deposit with the county judge a sufficient sum of money to pay the cost of advertising hereinbefore required.

(5) The result of any county or district election shall be certified to the fiscal court of such county or to the fiscal court of each of the counties composing said district to be established, and said fiscal court or courts shall, if the result of said election be certified to it or them as in favor of the establishment of such district, forthwith proceed to declare such county or counties a district for the establishment of a sanatorium for the treatment of tuberculosis and shall proceed to put same into effect in the same manner as a fiscal court or courts are authorized to do upon their own initiative as provided in this act, and the cost and expenses of erection and maintenance shall fall in all manners the same as provided in this act.

(6.) Where a county or counties desire to join an already established tuberculosis sanatorium district they can do so by proceeding as follows:

The consent of the district board of trustees of the already established district shall be secured. Application for such consent shall be made by the fiscal court of each county desiring to join, providing that such fiscal court shall have already declared by resolution that said county shall be a tuberculosis sanatorium district, or a part of such a district, but in the event that a county shall have become a tuberculosis sanatorium district or part of a district by action of the voters thereof, the application shall be made by the board of trustees of the district embracing the county desiring to join, and in the event that a county shall not have become a district, or a part of a district, the application shall be made by a petition signed by not less than twenty qualified voters of the county.

When it is necessary to take a vote to declare any county a tuberculosis sanatorium district to enable it to join an already established sanatorium district the ballot shall read as follows: "Are you in favor of declaring this county a tuberculosis sanatorium district for the purpose of joining the already established tuberculosis sanatorium district of.....

county (or counties)'' and the result of the election shall be certified to the fiscal court of the county wherein the election was held, and if the result is favorable to the proposition submitted, the said fiscal court shall immediately declare such county a portion of the already established tuberculosis district and certify its action to the State Board of Health, whereupon said Board of Health shall determine the number of trustees to compose the board of said district, and the representation to be accorded each county on said board, according to the provisions hereinafter set forth.

(7.) Upon the creation of a tuberculosis district, the fiscal court of the county or the fiscal courts of the several counties, where there are several counties in such district, shall at once notify the State Board of Health of the establishment of such district, and, thereupon, it shall be the duty of the said Board of Health to recommend to the county judge, or if more than one county, to the county judge of each county, the appointment of suitable persons for such District Board of Trustees. In a district of one county the county judge shall appoint as members of the District Board of Trustees seven persons, men and women, at least one of whom shall be a registered physician.

When the district consists of several counties, the District Board of Trustees shall consist of not less than two nor more than four persons from each county; provided, however, that no board shall consist of less than seven persons. Where any county in such district shall have a population in excess of 20,000, such county shall be allowed a trustee for each 10,000 in excess of said 20,000 population, subject, however, to the limitation hereinbefore set down. Said trustees shall consist of men and women and at least one shall be a registered physician.

The State Board of Health in recommending names to the county judge or county judges for such appointments shall recommend twice as many names for each county as the county shall be entitled to have trustees appointed, out of which

names the county judge of each county shall immediately make his selection for that county.

Where a county or counties shall have joined an already established district the State Board of Health shall then recommend to the county judge of each county included in the new district double the number of names of persons eligible to the district board as there are trustees to be appointed by such judge and from such list the county judge shall select the trustees for his county. The trustees chosen shall, with additional members as are hereinafter provided for in case the district contains a city or cities of the second class, constitute the district board, which shall control and manage the sanatorium therein. The qualifications, length of terms and other details shall be as provided in other sections of this act. The terms of the trustees of the counties composing the previously existing district shall expire immediately upon the organization of the new board.

(7a.) Provided, however, that in any tuberculosis district containing a city of the second class two persons shall be appointed trustees on the Tuberculosis District Board by the mayor of that city and that in a tuberculosis district containing cities of the second class one person shall be appointed trustee on the Tuberculosis District Board by the mayor of each city, and provided, further, that each mayor shall appoint the trustee or trustees from a list submitted by the State Board of Health and containing the names of twice as many persons as such mayor shall appoint. The number of trustees appointed by mayor or mayors shall be in addition to the number allotted for appointment by the county judge in any county containing a city or cities of the second class.

(8.) For the purpose of this act such district board of trustees and their successors in office shall be a body corporate under the name and style of district board of tuberculosis sanatorium trustees for..... county or..... counties, as the case may be, and they shall have all the powers necessary to carry into effect the purpose of this section of this act. Said trustees, as soon as possible after their appoint-

ment and qualification, shall adopt a seal, organize by electing a president and a secretary and a treasurer to serve for two years and until their successors are elected and qualified, but the same person may be elected to serve both as secretary and treasurer and need not be a member of the board of trustees, and said treasurer shall give bond to the people of the State of Kentucky for the faithful performance of his duties and for the proper handling of all of the properties, assets and moneys of the institution that may come into his hands at any time in such sum and in such form and with such sureties as said district board of trustees shall approve. Said treasurer may at any time be removed and a successor appointed by said district board of trustees in its discretion. A majority of said district board of trustees shall constitute a quorum.

(9.) When a tuberculosis district shall have been created or enlarged by any of the methods hereinabove provided, and when the district board of trustees shall have been appointed and qualified as hereinabove provided said district board of trustees shall annually estimate and lay before the fiscal court of each county in said district, the needs of such district for the site, erection and maintenance of a tuberculosis sanatorium equitably determining as hereinafter provided the amount to be paid by each county, and the fiscal court of each county shall, at the next succeeding tax levy of said county, levy a tax in accordance with the estimate of the district board for such purposes, of not less than two cents and not more than eight cents on each one hundred dollars of assessed valuation of property in the county, and the sheriff shall then collect this tax as other State and county taxes are collected. The cost of site, initial construction and equipment may be covered in the first year's levy and said cost shall be covered in not exceeding three years' levy. After the cost of initial construction and equipment has been provided for by the tax levy as aforesaid, the said district board of trustees shall annually estimate and lay before the fiscal court of each county in said district the needs of such district for future construction and maintenance of said sanatorium, and the

fiscal court of each county shall in accordance with the request of the district board levy a tax for such purpose of not less than two cents and not more than eight cents on each one hundred dollars of assessed valuation of property in the county, and the sheriff shall collect this tax as other State and county taxes are collected.

Where two or more counties unite to form such district, the first cost of construction of the sanatorium and equipment and the cost of all betterments and additions thereto shall be paid by the counties composing the district, in proportion to the taxable property of each county, as shown by their respective county assessments.

Where a county or counties shall join such a district subsequently to its establishment, there shall be paid into the treasury of the district by each of said counties joining a sum to be determined as follows, viz.: The first cost of construction of the sanatorium and equipment and the cost of all betterments and additions thereto to the date of such joining shall be apportioned among all the counties which shall compose such district, after the admission of the county or counties joining, according to the taxable property of each county, as shown by their respective county assessments; and the amount so apportioned to each county joining shall be the sum payable by it. Said sum when paid into the treasury of the District Board of Trustees shall be used by it for the purpose of procuring and furnishing such additional grounds, buildings and other equipment as may be proper and necessary, so as to provide reasonably and equitably for the care of patients from all the counties of the district.

The annual expense of maintaining the sanatorium, to which shall be added necessary transportation expenses of free patients admitted, shall be apportioned by the district board of trustees, borne to the counties composing the district in such proportion as said district board may determine to be reasonable and equitable in relation to the taxable property of each county.

The fiscal court or courts of the county or counties composing such district shall from time to time as the taxes levied for the purposes of said sanatorium are collected, appropriate same to the use of such sanatorium and shall direct the county treasurer to pay the amount of such appropriation to the secretary of said sanatorium, and to take the receipt of said secretary, countersigned by the president of said sanatorium as his voucher therefor.

Provided, however, that in a district wherein there is a county or counties containing a city or cities of the second class the District Board of Trustees shall annually estimate and prior to December thirty-first lay before the General Council or Board of Commissioners of such city or cities the need of such district for the site, erection and maintenance, or for improvements, additions and maintenance, or for the maintenance of the tuberculosis sanatorium for the next succeeding year.

In order to raise such portion of this money as the board holds to be the equitable proportion for the city or cities for the purpose or purposes above set out, such General Council or Board of Commissioners shall at the next succeeding levy cause to be levied and collected a tax of not less than two cents and not more than eight cents on each one hundred dollars of property assessed for taxation for city purposes, and said levy shall be included in the annual appropriation ordinance for that year. And where such portion is asked of a city or cities the district board shall ask of the county or counties of the district only such portion of the total sum estimated to be necessary for the sanatorium district as the district board holds to be the equitable proportion for such county or counties.

(10.) When a tuberculosis district shall have been established by any county or counties, and an appropriation shall have been made, or a tax levied for the construction of a sanatorium, the board of trustees of said district shall select a site for said sanatorium, but, before any site can be

finally selected, and adopted, the same shall be approved by the State Board of Health. The site selected by said district board of trustees shall be in such part of the district as in their judgment shall be best adapted to the wants of the institution and most economical to the district, regard being had in the selection to water supply, drainage, facility of access, with a quality of soil suitable for farming purposes, and price asked for the land. All plans and specifications for the erection of such sanatorium shall be submitted to the State Board of Health for its approval, and, if approved by it, such district board of trustees shall be authorized to, proceed at once with the erection of same. If not approved by the State Board of Health, then said board shall make such recommendations as to it may seem best, and if such recommendations are accepted by the board of trustees of the district, then it shall proceed with the erection of a sanatorium in accordance with the recommendations of the State Board of Health.

(11) Said board of trustees, as heretofore created, shall have the general control of the property and affairs of the sanatorium and shall take such action as shall be necessary to carry out the purposes of this act.

Said board shall have power, in connection with said sanatorium, or as part thereof, to provide for, establish, operate and maintain clinics, dispensaries, day camps, summer camps, visiting nurses, to promote and carry on campaigns of education, and to use such other suitable and adequate means and methods as may seem necessary and proper for the treatment, relief and prevention of tuberculosis; and said board may use the property, equipment and supplies of the sanatorium for said purposes, or may co-operate with anti-tuberculosis leagues, medical societies and organizations which are engaged in carrying on such work.

(12.) The district board of trustees shall have power to borrow money on the credit of the board in anticipation of the revenue to be collected from the county and city taxes

levied for the tuberculosis sanatorium district, for the fiscal half year in which the same is borrowed, and to pledge said taxes levied for the tuberculosis sanatorium district for the payment of the principal and interest of said loan: Provided, that the interest paid shall in no case exceed six per cent. per annum and the principal shall in no case exceed fifty per cent. of the anticipated revenue for the fiscal half year in which the same is borrowed.

The members of the board of trustees shall receive no compensation for their services, but they shall be reimbursed for their actual expenses necessarily incurred in the performance of their duties, upon vouchers duly approved by the board of trustees, signed by the secretary and countersigned by the president thereof.

The district board of trustees shall appoint a medical superintendent of the sanatorium who shall not be a member of said board, who shall be a legally qualified physician in good standing; either man or woman. The superintendent shall be a graduate in medicine and surgery from a medical college approved by the State Board of Health and of acknowledged skill in his profession, and must have had special training and experience in a hospital or sanatorium for tuberculosis. The superintendent shall, in all matters pertaining to the sanatorium, be under the general supervision of the board of trustees, and may be removed by such board at any time for cause upon written charges preferred and after an opportunity to appear and make defense. The board shall also have power to appoint a successor to the superintendent, and may, for good cause, employ some one to act temporarily as medical superintendent of the sanatorium who is not possessed of all the above-mentioned qualifications, provided that such temporary employment shall be for a term not exceeding twelve months, and provided further that such employe shall at no time be a member of said board.

The medical superintendent shall be the chief executive officer of the sanatorium. He shall have the general superin-

tendence of the buildings, grounds, furniture, fixtures, stock and the direction and control of all persons therein, subject to the by-laws and regulations prescribed by the district board of trustees. He or his representative shall daily ascertain the condition of each and all the patients and prescribe or direct their treatment. He shall cause full and fair records of all his official acts and the entire business and operation of the sanatorium to be kept regularly from day to day, in the manner and to the extent prescribed by the by-laws; and he shall see that all the accounts and records are fully made up, and present the same to the board of trustees at their annual meeting. It shall be the duty of the medical superintendent to admit any member of the board of trustees, or any member or officer of the State Board of Health at any time into every part of the sanatorium, and to exhibit to him, or them, on demand, all books, papers, accounts and writings belonging to the sanatorium, or pertaining to its business management, discipline, or government. He shall make, at the time of reception of patients, a record of the date of same, name, age, residence, occupation and such other statistics in regard to every patient admitted to the sanatorium as the by-laws may require. The medical superintendent shall have power to appoint, with the advice and consent of the board of trustees, whenever in their discretion it seems necessary, an assistant physician or physicians, each of whom shall be a legally qualified physician, a graduate in medicine and surgery from some medical college recognized as in good standing by the State Board of Health and of acknowledged skill in the medical profession. The medical superintendent shall also have power to remove such assistant physician or physicians, with the consent of the board of trustees. The medical superintendent shall have the power and authority to employ any servant or employe at the sanatorium, all of whom shall be under his direct supervision, and any of whom may be removed by him at will. All moneys collected by the medical superintendent shall be immediately

paid over by him to the treasurer of the sanatorium, and his receipt be taken therefor. No personal fees, charges or pecuniary compensation of any kind shall be collected by the medical superintendent or any employe of said sanatorium, for services rendered to a patient while a patient in said sana torium.

(13.) No member of the board of trustees of said sanatorium, and no employe thereof, shall be interested directly or indirectly in any contract, or receive any benefit directly or indirectly from any contract made with said sanatorium.

(14.) The treasurer shall have the custody of all moneys, bonds, notes, mortgages and other securities and obligations belonging to said sanatorium, and moneys shall be disbursed only for the uses and purposes of the sanatorium and in the manner prescribed by the by-laws on itemized vouchers allowed by the board of trustees, and signed by the secretary and countersigned by the president. He shall keep full and accurate accounts of all receipts and payments in the manner directed in the by-laws and such other accounts as the board of trustees shall prescribe; he shall render statements of accounts of the several books, and of the funds and other property in his custody whenever required so to do by the board of trustees. He shall have all accounts and records fully made up to the last day preceding the annual meeting, and present the same to the board of trustees at its annual meeting.

(15.) There shall be a thorough visitation of said sanatorium by two of the trustees thereof monthly, and by the whole board annually. On each of these occasions a written report of the state of the institution shall be submitted to them by the superintendent of the sanatorium. On a day to be fixed by the by-laws of the board of trustees of each district, there shall be held each year the regular annual meeting of the board, at which the superintendent of the sanatorium and the secretary and the treasurer thereof shall each submit a report of the affairs of the sanatorium in such form as may

be prescribed by the State Board of Health, and the secretary and treasurer shall also submit a statement of his accounts, and the reports of the superintendent, secretary and treasurer, and the latter's statement of accounts shall be transmitted in duplicate by the board, with their annual report to the State Board of Health.

(16.) The district board of trustees shall have power to establish such by-laws as it may deem necessary and expedient from time to time for defining the duties of officers, assistants or employes, for fixing the conditions of admission to the institution, support and discharge of patients, and for conducting in a proper manner the professional and business affairs of the sanatorium, and also to ordain and enforce a suitable system of rules and regulations for the internal government, discipline and management of the sanatorium.

(17.) No person shall be received into said sanatorium as a free patient, unless said person shall have been a resident of Kentucky and of said district for at least twelve months next preceding such person's application for admission into said sanatorium and no person entitled to be admitted as above shall be received as a free patient in said sanatorium, unless said person shall file with his or her application for admission into said sanatorium certificate of the county judge of the county of which such person is a resident stating that from evidence submitted to said county judge, he is of the opinion that such applicant is unable to pay for maintenance in said sanatorium. The board of trustees of said sanatorium shall have power to provide by rule, the character of examination to which any applicant for admission into said sanatorium shall submit before being admitted into said sanatorium for the purpose of ascertaining whether or not such applicant is suffering from tuberculosis. No greater number of persons shall be admitted to said institution than can be properly taken care of and treated. As nearly as it may be done, each county of the district shall have the right to have admitted its proper

and proportionate number of free patients, who are unable to pay their maintenance in said sanatorium.

(17a.) Where patients who have been, or may be maintained in said sanatorium, have or shall acquire estate which can be subjected to debt, the county attorney of such county of said patient's residence is authorized and directed in every such case to sue them in the name of said sanatorium and recover the amount of such patient's maintenance, or so much thereof as such estate will suffice to pay for the time such patients shall have been kept and maintained therein, and not otherwise paid for, and by proper proceedings subject their estates, respectively, for the payment thereof; and when the husband, wife or parent of any such patient, who has been or may be supported in said sanatorium, shall have estate sufficient for the support of such patient, in addition to the support of any other persons who may be dependent on such husband or parent, in like manner to sue and recover from such husband the amount of his wife's maintenance, from such wife the amount of her husband's maintenance, from such parent the amount of his or her child's maintenance, at the rate aforesaid for the time that they shall have been respectively maintained by said sanatorium, and the statute of limitations providing the time in which actions for such recovery may be instituted shall not run against recovery herein provided for until from and after time at which said estate is acquired. Such suit shall create a lis pendens lien, and if judgment is obtained, such judgment shall constitute a lien upon so much of the patient's estate as is described in the petition, and said county attorney shall be allowed a fee of 15 per cent. of the amount collected for his services.

(17b.) If any time the accommodations of the sanatorium will permit the treatment and care of patients in excess of the indigent patients sent by the county or counties of the district, as hereinbefore provided, persons, residents of this state whether residing inside or outside of said district may

be received into such sanatorium when the cost of transportation, support, care and maintenance is paid to the sanatorium by any county, person, public health league, or any other agency whatsoever, and when such other requirement as may be established by the district board of trustees are complied with. The amount to be charged by said sanatorium for the care and maintenance of such persons shall be fixed by the district board of trustees. Before such persons shall be admitted to said sanatorium, for the purpose of determining whether or not they are afflicted with tuberculosis, they shall submit to such an examination as the district board of trustees may by rule determine.

(17c.) The fiscal court of any county, in lieu of providing for the erection of a district sanatorium for tuberculosis, may contract with the district board of trustees of any other district where such sanatorium has been constructed for the care and treatment of the residents of such county who are suffering from tuberculosis, and the fiscal court of the county in which such patients reside shall pay to the sanatorium of the district receiving such patients the actual cost incurred in their care and treatment and other necessaries, and shall also pay for their transportation, and shall pay such further sum to such sanatorium as the board of trustees may, under proper rules and regulations, provide.

(17d.) All sanatoria established under this act shall at all reasonable times keep open for the inspection of the State Inspector and Examiner, all of its records and books of accounts.

(17e.) The State Board of Health is hereby authorized to make such rules and regulations as may be necessary to enforce any of the provisions of this act, such rules and regulations not being in conflict with the powers delegated to local boards, and such rules and regulations as may be necessary to control the action of local boards when its members fail or refuse to execute the provisions of this act as herein provided.

(18.) That it being the intention of the General Assembly in enacting this law to enact each section of this act separately, if any section or any proviso contained in any section of it shall be held to be invalid, such fact shall not affect the remaining portion of said act or section, it being the intention of the legislature to enact each section and each proviso thereto separately.

(19.) That the State Board of Health is hereby authorized in its co-operation with the national, state, or other sanitary or philanthropic organizations, for the preservation and protection of the health and efficiency of the people of this Commonwealth, to accept funds from the national Congress, or any branch of the national health service, including the army, navy or National Red Cross, or other organizations or individuals, upon a per cent or other basis, and to expend the same to increase the efficiency of the health service of the state, or of any county in the state where the fiscal court or other public or private organizations shall provide a fund upon the percentage or other basis for health work within such county; provided, that all funds received or expended under this section shall be accounted for entirely separate from and in addition to the appropriation made for the use of the board in this act, and that itemized statements of all such expenditures shall be included in the reports made by the board to each session of the General Assembly, as required by law for other public expenditures.

(20.) A board to be known as the State Board of Health is hereby established. It shall consist of ten members all of whom, except as herein provided, shall be legally qualified practitioners, as provided by the laws of this Commonwealth, four of whom shall be appointed by the Governor from the members of the State Board of Health holding office at the time of the passage of this act, said four members shall be so selected that one shall be an osteopath, one a homeopath, one an eclectic and one shall be a regular (or allopathic) physician,

whose terms of office shall expire on January the first, 1920, 1921, 1922 and 1923, and their successors shall be appointed by the Governor from lists of five names for each vacancy, furnished, respectively, by the state society or association of such schools or systems of practice as are entitled to the member, provided, that in the event such society or association fails or refuses to supply such names to the Governor within thirty days after the expiration of the term of office of said member, the Governor may appoint any member of any society or association of practitioners; two of the members of said board shall be appointed by the Governor from the members of the State Board of Health, holding office at the time of the passage of the act, one of whom shall serve for one term and the other member shall serve for one year from January the first of the year of the passage of this act; one member of said board of health shall be appointed by the Governor from a list of five names furnished by the Kentucky Board of Pharmacy and his successor shall be chosen in the same manner as herein provided; two members shall be appointed by the Governor from the state at large and the tenth member who shall be its secretary and executive officer shall be elected by the appointive members of said board, whose salary and term of office shall be fixed by the board for a term of four years and until his successor shall have been elected and qualified.

All existing local boards and health officers shall remain in office until removed as herein provided, or until their respective terms expire or their successors shall be appointed as herein provided.

That there shall be appointed as a member of the State Board of Health as now or may be constituted, one member who shall be selected by the Governor of this Commonwealth from a list of five persons selected by the Kentucky Pharmaceutical Association who shall be a registered pharmacist, who shall serve for the same term and upon the same conditions as other members of said board as provided by law.

Any inspector or inspectors appointed by said board for the purpose of governing and carrying out the provisions of this act in so far as it relates to drugs, shall be a registered pharmacist and a graduate of a school recognized as in good standing by the Kentucky Board of Pharmacy provided that the appointment of such inspector or inspectors shall be appointed by the State Board of Health with the advice and consent of the pharmacist member.

(21.) All acts and parts of acts in conflict herewith are hereby repealed, but the said act shall not be construed to repeal chapter 48 of the Acts of the General Assembly of 1906, entitled: "An act to regulate the sale of concentrated feeding stuffs, defining same and fixing penalties for violations thereof."

Mr. Huddleston offered the following amendment to said bill, viz.:

Amend Senate Bill 259 by striking out of line No. 2, section No. 1, the words, "seventy-five thousand dollars" and insert in lieu thereof the words "fifty thousand dollars."

Said amendment was disagreed to.

Mr. Musick offered the following amendment to said bill, viz.:

Amend Senate Bill 259 by adding after the word "entered," in line 98, section 1, page 6, the following words "and published in two issues of some newspaper of general circulation published in such county."

Said amendment was disagreed to.

Mr. Musick offered the following amendment to said bill, viz.:

Amend Senate Bill 259 by striking out the words "one-half," in line 257, page 12, and substituting therefor the words "one-fifth."

Said amendment was disagreed to.

Mr. Musick offered the following amendment to said bill, viz.:

Amend Senate Bill 259 by adding after the word "established," in line 560, section 20, the words "whose offices shall be maintained in the city of Frankfort."

Said amendment was disagreed to.

Mr. Murphy offered the following amendment to said bill, viz.:

Amend Senate Bill 259 by adding in line 585, after the word "salary," the following: "of fifteen hundred dollars" per annum.

Said amendment was disagreed to.

Mr. Murphy moved that the House resolve itself into a Committee of the Whole for the purpose of considering said bill section by section.

The yeas and nays being required on said motion by Messrs. Murphy and Radcliffe, were as follows, viz.:

Those who voted in the affirmative were—

L. D. Baldauf	L. B. Hamilton	Griffin Kelly
W. T. Beckham	B. H. Harris	H. A Knollmann
Leroy Bonta	Joe Huddleston	Joseph Lazarus
L. L. Embry	A. R. Hudson	John T. Murphy

Ryland C. Musick	Ote Piper	S. G. Thornberry
A. J. McCandless	Richard Radcliffe	J. Wood Vance
Lilburn Phelps	Avery Sartin	
Luther Pieratt	Claude M. Thomas	—22

Those who voted in the negative were—

Ed. L. Allen	H. L. Dixon	S. Lee McGohan
Chas. Ashby	W. G. Dycus	W. B. O'Bannon
B. S. Bailey	F. A. Easterling	A. J. Oliver
J. H. Ballard	J. M. Elliston	T. P. Oliver
A. L. Baldwin	I. H. Gabbard	W. F. Paris
Robert Bays	M. E. Gilbert	Lewis Ryans
B. C. Beckmann	A. L. Hamilton	Joe Schneider
H. V. Bell	E. C. Hardin	R. T. Smtih
W. P. Bowman	David J. Howard	Thomas Spurrier
O. V. Brown	Chas. L. Hunter	Ben Street
R. J. Cain	J. W. Johnson	John W. Swope
T. L. Caudel	W. H. Jones	John B. Thomas
H. C. Chappell	W. F. Klair	G. F. Thompson
John Cook	W. T. Lasley	J. T. Thornton
A. S. Cooper	S. D. Laughlin	W. F. Trusty
Fred Cornelius	M. E. Lee	Geo. C. Waggoner
W. P. Cropper	J. E. Lilly	G. Frank Walthal
James S. Cruse	Harry J. Meyers	T. R. Welch
J. C. Davis	W. P. McDonogh	W. N. Winn
A. A. Demunbrun	H. C. McGehee	E. G. Young

—60

And so said motion was disagreed to.

Mr. Brown moved that the vote by which the House refused to resolve into a Committee of the Whole be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. L. B. Hamilton moved that the further consideration of S. B. 259 be postponed, and that said bill be made a special order for Wednesday next, at 2 o'clock p. m.

Said last named motion was disagreed to.

Mr. Huddleston moved that this House do now adjourn.

Said motion was disagreed to.

Ordered, that said S. B. 259 be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	Fred Cornelius	J. W. Johnson
Chas. Ashby	W. P. Cropper	Leslie P. Jones
B. S. Bailey	James S. Cruse	W. H. Jones
J. H. Ballard	J. C. Davis	Griffin Kelly
A. L. Baldwin	A. A. Demunbrun	W. F. Klair
Robert Bays	H. L. Dixon	H. A. Knollmann
B. C. Beckmann	W. G. Dycus	W. T. Lasley
H. V. Bell	F. A. Easterling	S. D. Laughlin
W. P. Bowman	J. M. Elliston	M. E. Lee
J. L. Bradford	I. H. Gabbard	J. E. Lilly
O. V. Brown	M. E. Gilbert	Harry J. Meyers
R. J. Cain	W. H. Hager	Clarence Miller
T. L. Caudel	A. L. Hamilton	Claude D. Minor
H. C. Chappell	E. C. Hardin	S. H. Moore
John Cook	David J. Howard	W. P. McDonogh
A. S. Cooper	Chas. L. Hunter	H. C. McGehee

S. Lee McGohan	Joe Schneider	W. F. Trusty
W. B. O'Bannon	R. T. Smtih	F. C. VanHoose
A. J. Oliver	Thomas Spurrier	Geo. C. Waggoner
T. P. Oliver	Ben Street	G. Frank Walthal
W. F. Paris	John W. Swope	T. R. Welch
Lilburn Phelps	John B. Thomas	W. N. Winn
Ote Piper	Geo. F. Thompson	E. G. Young
Lewis Ryans	J. T. Thornton	—71

Those who voted in the negative were—

L. D. Baldauf	John T. Murphy	Avery Sartin
W. T. Beckham	Ryland C. Musick	Claude M. Thomas
Leroy Bonta	A. J. McCandless	S. G. Thornberry
L. B. Hamilton	Luther Pieratt	J. Wood Vance
A. R. Hudson	Richard Radcliffe	
Joseph Lazarus	H. C. Rice	—16

Resolved, that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. R. T. Smith moved that the rules be suspended, and that H. B. 365 be taken from the orders of the day and placed upon its passage at this time.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 365. An act to prohibit the slaughter of calves under twelve months of age, except male Jersey calves, and providing a penalty for a violation of this act.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

It shall be unlawful for any person, association or corporation to slaughter any calf under twelve months of age within this Commonwealth, except the same be a Jersey male calf, which may be slaughtered at any age, and any person, association or corporation violating this act shall be fined for each offense in any sum not less than $10.00 nor more than $50.00.

It shall be unlawful for any person, firm, company or corporation to sell, exchange, give away, haul, transport, carry or drive out of this Commonwealth for slaughter purposes, any calf under twelve months of age, except the same be a Jersey male calf, and any person, firm, company or corporation violating this provision of the act shall be fined for each offense in any sum not less than $25.00 nor more than $50.00.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and refused.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	H. C. Chappell	A. A. Demunbrun
B. S. Bailey	John Cook	F. A. Easterling
L. D. Baldauf	A. S. Cooper	I. H. Gabbard
A. L. Baldwin	Fred Cornelius	M. E. Gilbert
Robert Bays	James S. Cruse	J. S. Hall
R. J. Cain	J. C. Davis	E. C. Hardin

B. H. Harris	S. Lee McGohan	John W. Swope
A. R. Hudson	H. C. McLellen	Geo. F. Thompson
J. W. Johnson	W. F. Paris	J. T. Thornton
W. H. Jones	Lilburn Phelps	J. Wood Vance
S. D. Laughlin	Lewis Ryans	Geo. C. Waggoner
W. P. McDonogh	Avery Sartin	
H. C. McGehee	R. T. Smtih	—37

Those who voted in the negative were—

Ed. L. Allen	W. F. Klair	Ote Piper
B. C. Beckmann	H. A. Knollmann	H. C. Rice
Leroy Bonta	W. T. Lasley	Joe Schneider
W. P. Bowman	Joseph Lazarus	Ben Street
W. P. Cropper	M. E. Lee	C. M. Thomas
W. G. Dycus	Harry J. Meyers	John B. Thomas
J. M. Elliston	Claude D. Minor	S. G. Thornberry
A. L. Hamilton	John T. Murphy	F. C. VanHoose
L. B. Hamilton	Ryland C. Musick	W. N. Winn
David J. Howard	A. J. McCandless	E. G. Young
Leslie P. Jones	W. B. O'Bannon	
Griffin Kelly	Luther Pieratt	—35

And so said bill, failing to receive the constitutional vote, was rejected.

Mr. Claude M. Thomas moved that the vote by which said bill was refused be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Allen moved that the rules be suspended, and that House Bills Nos. 29 and 30 be taken from the orders of the day and placed upon their passage in the order named.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill of the following title. viz.:

H. B. 29. An act to amend section 2251 Kentucky Statutes, Carroll's edition, providing for compensation for grand jurors.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 2251 of the Kentucky Statutes, Carroll's edition, entitled: "Pay of—Time May Remain in Session," be amended by inserting in line 2 after the word "each" and before the word "dollars" the word "three," so that said section when so amended shall read as follows:

"Pay of—Time May Remain in Session.—Grand jurors shall be paid for their services each three dollars per day, and shall not remain in session longer than six days at any term, unless by order, entered of record by the court, they are permitted to sit longer."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	L. D. Baldauf	J. L. Bradford
Chas. Ashby	A. L. Baldwin	R. J. Cain
B. S. Bailey	W. P. Bowman	H. C. Chappell

A. S. Cooper	Joseph Lazarus	Richard Radcliffe
Fred Cornelius	Clarence Miller	Lewis Ryans
J. C. Davis	Ryland C. Musick	Avery Sartin
A. A. Demunbrun	A. J. McCandless	Joe Schneider
I. H. Gabbard	H. C. McGehee	R. T. Smtih
W. H. Hager	S. Lee McGohan	Thomas Spurrier
A. L. Hamilton	H. C. McLellen	Geo. F. Thompson
L. B. Hamilton	A. J. Oliver	J. T. Thornton
B. H. Harris	W. F. Paris	S. G. Thornberry
J. W. Johnson	Lilburn Phelps	J. Wood Vance
Leslie P. Jones	Luther Pieratt	F. C. VanHoose
W. H. Jones	Ote Piper	Geo. C. Waggoner

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Those who voted in the negative were—

W. T. Beckham	Griffin Kelly	W. B. O'Bannon
Leroy Bonta	H. A. Knollmann	H. C. Rice
M. E. Gilbert	W. T. Lasley	C. M. Thomas
David J. Howard	John T. Murphy	

—11

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that this House do now adjourn.

Said motion was agreed to.

And then the House, in accordance with a motion heretofore made, adjourned to meet again on Monday next, March 11, 1918, at 1:30 o'clock p. m.

MONDAY, MARCH 11, 1918.

The House was opened with prayer by the Rev. C. L. Bohon, pastor of the Methodist Church.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen
Chas. Ashby
B. S. Bailey
L. D. Baldauf
J. H. Ballard
Robert Bays
W. T. Beckham
B. C. Beckmann
H. V. Bell
Leroy Bonta
W. P. Bowman
J. L. Bradford
O. V. Brown
R. J. Cain
T. L. Caudel
H. C. Chappell
A. S. Cooper
Fred Cornelius
W. P. Cropper
James S. Cruse
J. C. Davis
A. A. Demunbrun
W. G. Dycus
F. A. Easterling
J. M. Elliston
I. H. Gabbard
Lark Garnett
M. E. Gilbert
W. H. Hager
J. S. Hall
A. L. Hamilton
L. B. Hamilton
E. C. Hardin
B. H. Harris
David J. Howard
Joe Huddleston
Chas. L. Hunter
J. W. Johnson
Leslie P. Jones
W. H. Jones
W. F. Klair
H. A. Knollmann
W. T. Lasley
S. D. Laughlin
Joseph Lazarus
M. E. Lee
J. E. Lilly
Harry J. Meyers
Clarence Miller
John T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
S. Lee McGohan
W. B. O'Bannon
A. J. Oliver
T. P. Oliver
W. F. Paris
Lilburn Phelps
Luther Pieratt
H. C. Rice
Lewis Ryans
Avery Sartin
Joe Schneider
Claude B. Smith
R. T. Smith
T. J. Smith
Thomas Spurrier
Ben Street
C. M. Thomas
Elmore Thomas
Geo. F. Thompson
S. G. Thornberry
J. Wood Vance
F. C. VanHoose
G. Frank Walthal
T. R. Welch
W. N. Winn
E. G. Young

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On motion of Mr. Lasley the reading of the Journal of Friday, March 8th, 1918, was dispensed with and said Journal was approved.

Mr. Klair moved that the session of today be extended indefinitely.

Said motion was agreed to.

The House took up for consideration from the calendar bills of the following titles, viz.:

H. B. 464. An act to regulate the pressure and quality of natural gas furnished by gas companies, and prescribing a punishment for violation thereof.

H. B. 501. An act to repeal and re-enact Section 2802 of the Kentucky Statutes, Carroll's Edition, 1915, relating to executive boards of municipal corporations in counties containing cities of the first class.

H. B. 463. An act amending Section 331a, Kentucky Statutes, relating to child labor.

H. B. 474. An act to amend Section 1250 of the Kentucky Statutes, which provides for a stenographer for Commonwealth Attorneys in counties having a population of two hundred thousand and over.

H. B. 504. An act to place county officials in counties containing cities of the second class upon a salary.

H. B. 295. An act to pension worthy blind persons.

The constitutional provision as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their titles and ordered to be placed in the Orders of the Day.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 53. An act repealing section 2276 of Carroll's Kentucky Statutes relating to the pay of jurors and re-enacting the same with certain modifications thereof.

Said bill reads as follows, viz.;

Be it enacted by the General Assembly of the Commonwealth of Kentucky: That section number 2276 of Carroll's Kentucky Statutes be and the same is hereby repealed, and that there be enacted in lieu thereof the following:

Sec. 1. All persons whose names are drawn from the drum or wheel case for jury service in any circuit court of this Commonwealth and who appear in person in court at the opening thereof in response to such summons, and who reside outside the corporate limits of the city or town in which court sits, and who do not claim exemption or ask to be relieved from jury service, shall receive for such service the sum of $2.00 per day for each day so served, even though such person be not sworn or accepted for jury service.

Sec. 2. All persons serving as jurors in any circuit court of this Commonwealth, one or more days, shall be paid $2.00 for each day of service.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.;

Those voting in the affirmative were—

Ed. L. Allen	J. S. Hall	A. J. Oliver
Chas. Ashby	A. L. Hamilton	T. P. Oliver
J. H. Ballard	L. B. Hamilton	W. F. Paris
W. T. Beckham	E. C. Hardin	Lilburn Phelps
B. C. Beckmann	B. H. Harris	Luther Pieratt
H. V. Bell	David J. Howard	Ote Piper
W. P. Bowman	Joe Huddleston	Avery Sartin
J. L. Bradford	Chas. L. Hunter	Claude B. Smith
O. V. Brown	J. W. Johnson	R. T. Smith
R. J. Cain	Leslie P. Jones	T. J. Smith
T. L. Caudel	W. H. Jones	Thomas Spurrier
H. C. Chappell	Griffin Kelly	John W. Swope
A. S. Cooper	H. A. Knollmann	Elmore Thomas
Fred Cornelius	W. T. Lasley	Geo. F. Thompson
W. P. Cropper	S. D. Laughlin	J. T. Thornton
James S. Cruse	Joseph Lazarus	S. G. Thornberry
A. A. Demunbrun	M. E. Lee	J. Wood Vance
W. G. Dycus	Harry J. Meyers	F. C. VanHoose
L. L. Embry	Ryland C. Musick	G. Frank Walthal
I. H. Gabbard	A. J. McCandless	T. R. Welch
Lark Garnett	W. P. McDonogh	W. N. Winn
W. H. Hager	H. C. McLellen	E. G. Young

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Those voting in the negative were—

J. E. Lilly	John T. Murphy	Claude M. Thomas

—3

Resolved that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 390. An act relating to exemptions of household goods and other personal property to a person with a family, and prescribing the duties of the County Clerk in relation thereto, and fixing his compensation.

Said bill reads as follows, viz.;

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. In allowing exemptions of household goods and other personal property to a person with a family, the clerk in making out his tax bills shall proceed as follows: Where such taxpayer assesses tangible personal property of less value than two hundred and fifty dollars all such property shall be exempt; where such property is of greater value than two hundred and fifty dollars the household goods and kitchen furniture shall be used to make up the exemptions to the extent of two hundred and fifty dollars. If the household goods and kitchen furniture do not amount to two hundred and fifty dollars, the remaining amount of exemptions shall be made up from the assessed value of live stock; if the assessed value of live stock is not sufficient to make up the balance, the remaining amount shall be made up from the assessed value of agricultural implements, manufacturing machinery and raw material; if the assessed value of the three last mentioned items is not sufficient to make up the balance, any balance shall be made up from the assessed value of the remaining tangible personal property of the taxpayer.

Before the second Monday in March each year the county clerk shall make out a statement showing the total exemptions allowed on household goods and kitchen furniture, the total exemptions allowed on live stock, the total exemptions allowed on agricultural implements, manufacturing machinery and raw material, and the total exemptions allowed on all other tangible property. Said statement shall be placed on file in his office, and a copy thereof sent immedi-

ately to the State Tax Commission. For his services in making out said statement the fiscal court of the county shall make the county clerk a reasonable allowance, one-half of which shall be paid by the State upon proper certification to the Auditor, subject, however, to the approval of the Auditor as to the reasonableness and correctness of the amount allowed, and the other half shall be paid by the county.

§ 2. Whereas, it is impossible to determine the amount of taxes due either to the State or county, under the present law, and it is necessary that the rule herein laid down shall be followed during the present year, an emergency is declared to exist, and this act shall take effect upon its approval by the Governor.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	O. V. Brown	J. M. Elliston
Chas. Ashby	R. J. Cain	I. H. Gabbard
B. S. Bailey	T. L. Caudel	Lark Garnett
L. D. Baldauf	H. C. Chappell	M. E. Gilbert
J. H. Ballard	A. S. Cooper	W. H. Hager
W. T. Beckham	Fred Cornelius	A. L. Hamilton
B. C. Beckmann	W. P. Cropper	L. B. Hamilton
H. V. Bell	James S. Cruse	E. C. Hardin
Leroy Bonta	J. C. Davis	B. H. Harris
W. P. Bowman	W. G. Dycus	David J. Howard
J. L. Bradford	F. A. Easterling	Joe Huddleston

Chas. L. Hunter	A. J. McCandless	John W. Swope
J. W. Johnson	W. P. McDonogh	C. M. Thomas
W. H. Jones	S. Lee McGohan	Elmore Thomas
Griffin Kelly	H. C. McLellen	Geo. F. Thompson
W. F. Klair	T. P. Oliver	J. T. Thornton
H. A. Knollmann	Lilburn Phelps	S. G. Thornberry
W. T. Lasley	Luther Pieratt	J. Wood Vance
Joseph Lazarus	Ote Piper	F. C. VanHoose
M. E. Lee	H. C. Rice	G. C. Waggoner
J. E. Lilly	Avery Sartin	G. Frank Walthal
Harry J. Meyers	Joe Schneider	T. R. Welch
Clarence Miller	Claude B. Smith	W. N. Winn
John T. Murphy	R. T. Smith	E. G. Young
Ryland C. Musick	T. J. Smith	—74

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 461. An act to amend and re-enact section 4122, Kentucky Statutes, edition 1915.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 4122, Kentucky Statutes, edition 1915, be amended and re-enacted so that it will read as follows:

The sheriff shall notify all such taxpayers whose list has been increased or assessed by the board, and also notify them of the time to which the board adjourned. Notice to non-resi-

dents or infants shall be to their attorney, agent, or guardian; if none in the county, by posting in some conspicuous place on the premises. Where the increase or the assessment made by the board amounts to less than $200.00 on any taxpayer, it shall be deemed sufficient if the sheriff shall mail to the taxpayer a notice giving this information, and return by the sheriff showing that he sent by first class mail the notice addressed to the taxpayer at his address given on the schedule of his list, or, in the case of an assessment made by the board, to the postoffice nearest where the property is located, shall be deemed sufficient notice to the taxpayer. The sheriff shall be allowed a reasonable compensation for his services to be paid out of the county levy.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	T. L. Caudel	L. L. Embry
L. D. Baldauf	H. C. Chappell	I. H. Gabbard
J. H. Ballard	A. S. Cooper	Lark Garnett
W. T. Beckham	Fred Cornelius	M. E. Gilbert
B. C. Beckmann	W. P. Cropper	W. H. Hager
H. V. Bell	J. C. Davis	A. L. Hamilton
Leroy Bonta	A. A. Demunbrun	L. B. Hamilton
W. P. Bowman	Harry Dill	E. C. Hardin
J. L. Bradford	W. G. Dycus	B. H. Harris
O. V. Brown	F. A. Easterling	Joe Huddleston
R. J. Cain	J. M. Elliston	Chas. L. Hunter

J. W. Johnson	H. C. McLellen	Ben Street
Leslie P. Jones	A. J. Oliver	John W. Swope
W. H. Jones	T. P. Oliver	Claude M. Thomas
Griffin Kelly	W. F. Paris	Elmore Thomas
W. F. Klair	Lilburn Phelps	Geo. F. Thompson
H. A. Knollmann	Luther Pieratt	S. G. Thornberry
Joseph Lazarus	Ote Piper	J. Wood Vance
M. E. Lee	Richard Radcliffe	Geo. C. Waggoner
J. E. Lilly	H. C. Rice	G. Frank Walthal
Harry J. Meyers	Avery Sartin	T. R. Welch
Clarence Miller	Joe Schneider	W. N. Winn
John T. Murphy	Claude B. Smith	E. G. Young
Ryland C. Musick	R. T. Smith	
W. P. McDonogh	T. J. Smith	—73

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 278. An act to provide for the compulsory education of the deaf and providing penalties for violations thereof.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That every parent, guardian, or other person, residing in the Commonwealth of Kentucky, having the custody, control, care or supervision of any deaf child between the ages of seven and sixteen years, inclusive, shall cause said child

to attend some public, private or parochial school, in this Commonwealth, wherein deaf children are taught, instructed and educated, for the full term, each year, for at least nine years.

§ 2. This act shall not apply in any case where the child is being taught in its home by an instructor who is competent and qualified to give instruction to the deaf; nor to any child who through its parents, guardian or person having such child in control, shall produce a certificate from the county board of health of the residence of the parent, guardian or person having control of such child, to the effect that the child is not in proper mental or physical condition to be sent to any such school as above provided, nor to any deaf child who is successfully pursuing the course of study in some reputable public or private school for the hearing; nor to any child who is regularly enrolled as a pupil in a reputable school for the deaf or the hearing outside the Commonwealth of Kentucky.

§ 3. Any parent, or guardian or person having such child under his or her control or supervision, who fails to comply with the provisions of this act, shall upon conviction, in any court of competent jurisdiction, be fined in any sum not less than ten nor more than twenty-five dollars, for the first offense, and upon a conviction of a second or any subsequent offense or offenses, be fined not less than twenty-five nor more than fifty dollars, and the costs of the prosecution.

§ 4. Any person, proceeded against under this act, for a violation therof, who, with the intent to evade the provisions of this law, shall make a false statement concerning the age of such child, as described above, or the length of time such child has attended a school for the deaf, shall be deemed guilty of misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding fifty dollars, or be imprisoned in the county jail not to exceed thirty days, or both fined and imprisoned in the discretion of the court.

§ 5. It shall discharge any person from liability under this act, if it be satisfactorily shown to the court that at the

time of the proceeding such school or schools in this Commonwealth as provide instruction and education for the deaf is then taxed to its capacity, and that there is no room or means of taking care of or instructing such child.

§ 6. The county courts of this Commonwealth shall have exclusive jurisdiction of all cases wherein this act is violated, and the case shall be prosecuted in the same manner as other cases of misdemeanor are prosecuted therein, and the county attorney of the county wherein the prosecution is had, shall attend and prosecute all violations of this act.

§ 7. A passport, a duly attested transcript of the certificate of birth or baptism, or a certified copy, under oath, of a record in the family Bible, or other religious record, showing the date and place of birth of such child, shall be received as evidence of age. In case that any of the foregoing records cannot be produced, then other evidence of the age of the child may be considered by the court.

§ 8. It shall be the duty of the trustees, managers, or persons in charge of any public institution in this Commonwealth, whereat the deaf are received for instruction and education, to receive into such institution any deaf child sent to such institution, while in session, unless it can be shown at the time that such institution is taxed to its capacity, and there is no room for, or means of taking care of such child, or that the physical condition of the child is such as to prevent study or to constitute a menace to the health of the other pupils of the institution; or that the child is mentally deficient and incapable of successfully pursuing the prescribed course of study of such institution; or that the habits and practices of the child are such as to constitute a detriment to the welfare of the other pupils of the institution, and when such child is so received he or she shall be cared for under the provisions of the statute at the time prevailing, regulating such institutions, and the by-laws prescribed by the trustees or managers for the government of such institutions, and in every case where such child is brought to any public institu-

tion to be entered as a pupil the price of return transportation to the home of the child must be deposited with the executive officer of the said institution or guaranteed to him by some responsible party before the institution is obligated to receive the child for instruction.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby
B. S. Bailey
L. D. Baldauf
J. H. Ballard
W. T. Beckham
B. C. Beckmann
H. V. Bell
Leroy Bonta
W. P. Bowman
T. L. Caudel
H. C. Chappell
A. S. Cooper
Fred Cornelius
W. P. Cropper
James S. Cruse
A. A. Demunbrun
W. G. Dycus
J. M. Elliston
L. L. Embry
I. H. Gabbard
Lark Garnett
M. E. Gilbert
W. H. Hager
A. L. Hamilton
L. B. Hamilton
E. C. Hardin
B. H. Harris
David J. Howard
Joe Huddleston
Chas. L. Hunter
J. W. Johnson
W. H. Jones
W. F. Klair
H. A. Knollmann
W. T. Lasley
S. D. Laughlin
Joseph Lazarus
M. E. Lee
J. E. Lilly
Harry J. Meyers
Clarence Miller
John T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
S. Lee McGohan
W. B. O'Bannon
A. J. Oliver
T. P. Oliver
Lilburn Phelps
Luther Pieratt
Ote Piper
H. C. Rice
Lewis Ryans
Avery Sartin
Joe Schneider
Claude B. Smith
R. T. Smith
T. J. Smith
Ben Street

John W. Swope	Geo. C. Waggoner	W. N. Winn	
Claude M. Thomas	G. Frank Walthal	E. G. Young	
J. Wood Vance	T. R. Welch		—68

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 24. An act creating a Budget Commission, prescribing its powers and duties, providing a budget system of appropriations and a method for ascertaining the expenditures of the various departments of the State government; providing for certain reports to be made to the Budget Commission and the manner of making the same; providing for the submission to the General Assembly of a budget compiled by the Budget Appropriation Commission and fixing penalties for violation.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby created a commission to be known as the Budget Appropriation Commission, which shall be composed of the Governor, who shall be chairman, the chairman of the State Tax Commission and the State Auditor, all of whom shall serve without additional compensation.

§ 2. Each department of the State government, board, commission, institution, charitable, educational or correctional, or any other State agency supported and maintained in whole or in part by money drawn from the State treasury

by appropriations shall, on or before the first day of January of each and every year in which the General Assembly convenes, file with the Budget Appropriation Commission a complete statement of the receipts and expenditures of said department, board, commission, institution, or agency during the past two (2) fiscal years, showing the number and names of all employes and appointees and the average hours per day each is actually engaged in the performance of their duties and the wages or salaries paid each and their classification. The expenditures and receipts for each respective year shall be separated. The statement of receipts shall show the amount drawn from the State treasury and the purpose for which each is withdrawn and in a separate item the amount received from any and all other sources, and whether any balance is on hand. The statement of expenditures shall be classified under the heads of salaries, salaries temporary, supplies and materials, repairs and permanent improvements. The commission shall, however, have the right to change this classification if they see fit.

§ 3. Said departments, boards, commission, institutions, and agencies shall at the same time file with the said Budget Appropriation Commission an estimate of the financial needs of said department, board, commission, institution, or agency for each of the two following years, that is, for the period intervening between the meetings of the General Assembly. Said estimate shall show all the expected and anticipated revenue for each of said years from all sources other than by appropriation. It shall contain a request for an appropriation for each of said ensuing years sufficient to properly and efficiently maintain and operate said department, board, commission, institution, or agency. The amount requested shall be classified according to the purpose for which it is needed, as follows: Salaries, maintenance and operation, supplies, repairs, and permanent improvement; unless a different classification is prescribed by the commission. If an increase in appropriation over the preceding year is requested, the

reason therefor must be given in detail. The requirements herein as to the filing of the estimate shall not apply to the department of the legislature and judiciary.

§ 4. Said statements and estimates shall be compiled and filed by the head of each department, president, or chairman, of such board, or commission, or trustee in charge of any institution, or by some officer of same designated by the official act of said board, commission, trustees or regents. The statements of the legislature and judiciary shall be compiled and filed by the State Auditor. Said statements and estimates are to be made upon blank forms to be prescribed by the Budget Appropriation Commission, which shall be furnished by them not later than December 1st. The Budget Appropriation Commission shall have the authority and right to make any and all rules they deem essential, proper, and expedient in their requirements as to how said statements and estimates shall be made, in order to carry out the intent and purpose of this act, and they can amend and change same at any time they deem best and beneficial.

§ 5. All such statements and estimates shall be sworn to by the authority making same before a notary public or other official qualified to take acknowledgments.

§ 6. Likewise on the first day of January of each and every year in which the General Assembly convenes the State Treasurer shall furnish to the Budget Appropriation Commission in such form as they may request a summary of the financial condition of the State at the end of the last fiscal year, or of any other time they prescribe. Said report shall show the total amount of receipts in the treasury during said year, the expenditures thereof, showing the purpose for which expended, and the balance on hand. He shall state the total State debt, the fixed interest charges thereon, and the sinking fund requirement. He shall also furnish an estimate of the total income for the current year, and approximate the total income for the two ensuing years separately. He shall furnish any other information the Budget Appropriation Commis-

sion may request to aid them in the preparation of the appropriation budget.

§ 7. On or before the 5th of January the said Budget Appropriation Commission shall meet at the State capital for the purpose of examining and considering the statements and estimates together with the financial statement of the State treasury for the purpose of preparing the appropriation budget as hereinafter provided. The State Examiner and Inspector shall meet with them and assist them in any manner they might designate. They may adjourn from day to day and meet at any other place they deem advisable. They shall examine the statements and estimates for the purpose of determining whether the funds expended by the various departments, boards, commissions, institutions and agencies have been wisely and efficiently spent, and for determining whether the requests asked in their estimates are necessary and essential for their proper maintenance and operation, and for determining the wisdom of granting same in view of the financial condition of the State.

§ 8. For the purpose of investigating the necessity of any appropriation requested, and for the purpose of ascertaining whether increases in appropriations requested are necessary, or whether the present sources of income are properly collected, or whether the income or appropriations for said departments, boards, commissions, institutions, or agencies, have been properly and economically expended, or for any similar purpose, the Budget Appropriation Commission may direct the State Examiner and Inspector to make any examination or investigation they desire, or they may summons witnesses and conduct hearings. If any person shall refuse to obey such a summons they shall be considered to have acted in contempt, and the commission shall prefer such a charge against them in the nearest circuit court, where they shall be dealt with for contempt of court.

§ 9. The Budget Appropriation Commission, after the examination of said statements, estimates and reports, shall

prepare a budget thereof, which shall comprise a summary of the statements and estimates of each department, board, commission, institution or agency. Said budget shall show the source of income for each department, board, commission institution, or agency, giving the total of each source, and shall show the expenditures thereof, under the heads of interest charges, salaries, maintenance and operation, and permanent improvements; and shall show the number of employes. Said summaries shall be for the past two fiscal years and shall be separate for each year, and shall be compiled from the statements and estimates filed with them or gathered from other sources. Said budget shall be in simple, clear, and concise form so as to be easily understood by the General Assembly. The Budget Appropriation Commission shall also prepare a message to each branch of the General Assembly pertaining to said budget in which they shall advise the General Assembly relative to the necessity and wisdom of the appropriation requested, or the inadvisability of granting same, and they shall make in said message any other suggestion or comment pertaining to said budget, which might be of assistance to the General Assembly in the consideration of same. The budget shall further comprise a brief summary of the financial condition of the State treasury at the close of the last fiscal year, and an approximation of the revenue for each of the two ensuing years. They shall show the total receipts of the State treasury for the last fiscal year, and the total expenditure thereof, and the balance on hand; also a statement of the State debt and fixed charges theron. All of the aforesaid information shall be based upon the statements, estimates and reports filed with the commission as herein provided, or upon any other information.

§ 10. The aforesaid statements, estimates and reports filed with the Budget Appropriation Commission, after the completion of the preparation of the budget, shall be filed by them in the office of the State Auditor, where they shall be preserved as a public record.

§ 11. The said Budget Appropriation Commission shall prepare two appropriations bills embodying their recommendations for consideration by the General Assembly, one for each of the two ensuing years, in which they shall provide for the appropriations essential and necessary for the proper maintenance and operation of each of said departments, boards, commissions, institutions or agencies, except judiciary, legislative and common schools. The appropriation for each department, board, commission, institution or agency shall be specified in a distinct and separate section of the bill.

§ 12. On or before the third Monday after the convening of the General Assembly the said Budget Appropriation Commission shall transmit to each of the branches of the General Assembly a copy of the said budget accompanied by a copy of the said appropriation bills, and their message.

§ 13. All appropriations hertofore made and continuing from year to year under previous laws are hereby repealed upon the taking effect of appropriations made pursuant to provisions of this act and no money appropriated in pursuance of this act shall be withdrawn from the State treasury for the purpose of paying any claim out of any such appropriation until such claim shall have first been audited and certified by the Auditor to the State Treasurer for payment.

§ 14. Any expenses incident to the enforcement of this act shall be paid out of the general fund, upon certification to the Auditor by the Budget Appropriation Commission but no extra clerical expenses shall be incurred.

§ 15. In the event the General Assembly shall fail or refuse to make appropriation for the ensuing biennium then the appropriations for such preceding year for each of said departments, boards, institutions, commissions or agencies shall continue until changed by the General Assembly.

§ 16. Any officer, employee or appointee of this State who wilfully fails or refuses to comply with any of the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine of not less than two hundred and fifty

dollars ($250.00) nor more than one thousand dollars ($1,000.00).

§ 17. This act shall be liberally construed, and if any section or provision thereof shall be declared unconstitutional by the courts it shall not affect the remaining sections or provisions.

§ 18. All acts and parts of act in conflict herewith are hereby repealed to the extent of such conflict.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	J. C. Davis	Chas. L. Hunter
B. S. Bailey	A. A. Demunbrun	J. W. Johnson
L. D. Baldauf	Harry Dill	W. H. Jones
J. H. Ballard	W. G. Dycus	W. F. Klair
W. T. Beckham	F. A. Easterling	H. A. Knollmann
B. C. Beckmann	J. M. Elliston	W. T. Lasley
Leroy Bonta	I. H. Gabbard	S. D. Laughlin
W. P. Bowman	Lark Garnett	Joseph Lazarus
J. L. Bradford	M. E. Gilbert	M. E. Lee
O. V. Brown	W. H. Hager	J. E. Lilly
R. J. Cain	J. S. Hall	Harry J. Meyers
H. C. Chappell	A. L. Hamilton	Clarence Miller
A. S. Cooper	L. B. Hamilton	Ryland C. Musick
Fred Cornelius	E. C. Hardin	A. J. McCandless
W. P. Cropper	David J. Howard	W. P. McDonogh
James S. Cruse	Joe Huddleston	S. Lee McGohan

H. C. McLellen	Lewis Ryans	J. T. Thornton
W. B. O'Bannon	Avery Sartin	S. G. Thornberry
A. J. Oliver	Claude B. Smith	J. Wood Vance
T. P. Oliver	R. T. Smith	F. C. VanHoose
W. F. Paris	T. J. Smith	G. C. Waggoner
Lilburn Phelps	Thomas Spurrier	G. Frank Walthal
Luther Pieratt	Ben Street	T. R. Welch
Ote Piper	John W. Swope	W. N. Winn
H. C. Rice	Elmore Thomas	E. G. Young

—75

Those who voted in the negative were—

L. L. Embry Griffin Kelly —2

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 497. An act to put into effect the amendment to section 201 of the Constitution being chapter 125 of the acts of the General Assembly of 1916, adopted by the voters of the Commonwealth at the November election 1917, to give to the Railroad Commission jurisdiction over the purchase or lease of one telephone company by another as required by such amendment.

Said bill reads as follows, viz.:

Whereas, the General Assembly at its regular session, 1916, proposed an amendment to section 201 of the Constitution of the Commonwealth, said amendment being chapter 125 of the Acts of 1916, and

Whereas said amendment was submitted to the voters of the Commonwealth at the November election 1917; and at said election said amendment was adopted by a large majority, and has since, as provided by law, been proclaimed a part of the Constitution by the Governor; now,

Therefore, in order to give the Railroad Commission jurisdiction of the subject matter of said amendment:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That telephone companies may acquire by purchase or lease, or otherwise and operate, parallel or competing exchanges, lines and structures, and the property of other telephone companies, if the railroad commission or such other State commission as may have jurisdiction over such matters shall first consent thereto, and if, further, each municipality, wherin such property or any part thereof is located shall also first consent thereto as to the property within its limits, but under any such acquisition and operation toll line connections with the property so acquired shall be continued and maintained under an agreement between the purchasing company and the toll line companies then furnishing such service, and in the event they are unable to agree as to the terms of such an agreement the railroad commission or such other State commission as may have jurisdiction over such matters, shall fix the terms of such agreement.

§ 2. The railroad commission shall have jurisdiction of the matters set out in section one of this act, and shall keep a record of its acts in relation thereto to be entered in the minutes of said commission.

§ 3. This act shall take effect from its passage and approval by the Governor, and all acts in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	W. H. Hager	W. B. O'Bannon
B. S. Bailey	J. S. Hall	A. J. Oliver
L. D. Baldauf	A. L. Hamilton	W. F. Paris
J. H. Ballard	L. B. Hamilton	Lilburn Phelps
Leroy Bonta	E. C. Hardin	Luther Pieratt
W. P. Bowman	B. H. Harris	H. C. Rice
J. L. Bradford	D. J. Howard	Lewis Ryans
O. V. Brown	Chas. L. Hunter	Avery Sartin
R. J. Cain	J. W. Johnson	Claude B. Smith
H. C. Chappell	Griffin Kelly	R. T. Smith
A. S. Cooper	W. F. Klair	Thomas Spurrier
Fred Cornelius	W. T. Lasley	Ben Street
W. P. Cropper	S. D. Laughlin	John W. Swope
A. A. Demunbrun	Joseph Lazarus	Elmore Thomas
Harry Dill	M. E. Lee	J. T. Thornton
H. L. Dixon	J. E. Lilly	J. Wood Vance
W. G. Dycus	Harry J. Meyers	G. C. Waggoner
J. M. Elliston	Clarence Miller	T. R. Welch
I. H. Gabbard	Ryland C. Musick	E. G. Young
Lark Garnett	H. C. McLellen	—59

Those who voted in the negative were—

W. T. Beckham	A. J. McCandless	Claude M. Thomas
M. E. Gilbert	Ote Piper	G. Frank Walthal
H. A. Knollmann	Joe Schneider	—8

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 371. An act changing the time of holding circuit court in the Second Judicial District.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 965 of Kentucky Statutes relating to time of holding circuit court in the Second Judicial District be changed and in lieu thereof that the time of holding court in said district shall be as follows, to-wit:

Second District—McCracken county, at Paducah.—On the first Monday in January, criminal term, 18 juridical days. On the first Monday in February, civil term, 42 juridical days. On the second Monday in April, criminal term, 18 juridical days. On the second Monday in May, civil term, 36 Juridical days. On the fourth Monday in September, criminal term, 18 juridical days. On the first Monday in November, civil term, 36 juridical days.

In Marshall county, at Benton.—On the fourth Monday in March, 12 juridical days. On the fourth Monday in June, 18 juridical days. On the third Monday in October, 12 juridical days.

This act shall take effect on the first day of August, 1918, and not before.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	J. W. Johnson	H. C. Rice
J. H. Ballard	Griffin Kelly	Lewis Ryans
B. C. Beckmann	W. F. Klair	Joe Schneider
H. V. Bell	Joseph Lazarus	Claude B. Smith
W. P. Bowman	M. E. Lee	Thomas Spurrier
O. V. Brown	J. E. Lilly	Ben Street
A. S. Cooper	Harry J. Meyers	John W. Swope
Fred Cornelius	W. P. McDonogh	Elmore Thomas
W. P. Cropper	H. C. McLellen	S. G. Thornberry
H. L. Dixon	W. B. O'Bannon	G. C. Waggoner
W. G. Dycus	A. J. Oliver	T. R. Welch
J. M. Elliston	T. P. Oliver	W. N. Winn
E. C. Hardin	W. F. Paris	E. G. Young
Joe Huddleston	Luther Pieratt	—41

Those who voted in the negative were—

W. T. Beckham	L. B. Hamilton	R. T. Smith
Harry Dill	H. A. Knollmann	Claude M. Thomas
Lark Garnett	John T. Murphy	J. T. Thornton
M. E. Gilbert	A. J. McCandless	—11

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 502. An act to repeal an act of the General Assembly of 1880, incorporating the town of McKinney, Lincoln County, Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

(1) That an act entitled "An act to incorporate the town of McKinney, Lincoln county," being chapter 475, session acts 1879-80, which act was approved March 20, 1880, be and the same is hereby repealed and the charter and power therein granted be and the same are now hereby annulled.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	O. V. Brown	W. G. Dycus
L. D. Baldauf	R. J. Cain	F. A. Easterling
W. T. Beckham	T. L. Caudel	J. M. Elliston
B. C. Beckmann	A. S. Cooper	I. H. Gabbard
H. V. Bell	Fred Cornelius	Lark Garnett
Leroy Bonta	W. P. Cropper	M. E. Gilbert
J. L. Bradford	A. A. Demunbrun	W. H. Hager

L. B. Hamilton	John T. Murphy	T. J. Smith
E. C. Hardin	Ryland C. Musick	Ben Street
B. H. Harris	A. J. McCandless	John W. Swope
D. J. Howard	W. P. McDonogh	Claude M. Thomas
Joe Huddleston	S. Lee McGohan	Elmore Thomas
Chas. L. Hunter	W. B. O'Bannon	J. T. Thornton
J. W. Johnson	A. J. Oliver	S. G. Thornberry
Griffin Kelly	W. F. Paris	J. Wood Vance
W. F. Klair	Lilburn Phelps	F. C. VanHoose
H. A. Knollmann	Luther Pieratt	G. C. Waggoner
S. D. Laughlin	Ote Piper	G. Frank Walthal
Joseph Lazarus	H. C. Rice	T. R. Welch
M. E. Lee	Lewis Ryans	W. N. Winn
J. E. Lilly	Avery Sartin	E. G. Young
Harry J. Meyers	Joe Schneider	
Clarence Miller	Claude B. Smith	—67

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 164. An act to amend and re-enact chapter 9 of the Acts of the Extraordinary Session of the General Assembly of 1917, which act imposes a license or franchise on any person, firm, corporation or association engaged in the production of crude petroleum in this state, and authorizing county officials to impose such tax for roads, schools and county purposes, providing methods of determining the amount of tax due and prescribing the manner of payment of state tax and imposing penalties for the violation of the act.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Every person, firm, corporation or association producing crude petroleum oil in this state shall, in lieu of all other taxes on the wells producing said crude petroleum, annually pay a tax equal to 1 per centum of the market value of all crude petroleum so produced, and such tax shall be for state purposes, and, in addition, any county in the state may impose a like tax for road purposes, county purposes or school purposes not to exceed one-half of one per centum of the market value of all crude petroleum produced in such county, and the fiscal court of any county may levy said tax for county purposes and shall determine what fund or funds shall receive the taxes when collected, and, when crude petroleum is produced in any separate taxing district in a county, the fiscal court shall equitably distribute such taxes between the county and such taxing district.

§ 2. Any county imposing the tax provided in section 1 hereof shall immediately, after the levy of such tax, give notice thereof to each transporter of crude petroleum registered in said county, and the transporter of said crude petroleum shall, from and after the first day of the month immediately following such notice, proceed as hereinafter provided, to collect such county tax, and shall pay the same to the sheriff of such county, in the manner and at the time payment of such taxes shall be required to be made to the State Tax Commissioner. Each county imposing such tax shall also, upon fixing the levy, certify the same to the State Tax Commission, which shall make the assessment for such county tax, in the same manner and at the same value as provided for the state tax, which shall be certified to such county for collection.

§ 3. The tax hereby provided for shall be imposed and attach when the crude petroleum is first transported from

the tanks or other receptacles located at the place of production.

§ 4. Every person, firm, corporation or association required to report under section 5 of this act, shall register as a transporter of crude petroleum in the clerk's office in each county in this state, in which such business is carried on by such transporter of crude petroleum, in a book which the State Tax Commission shall provide therefor, showing the name, residence and place of business of such transporter of crude petroleum, and it shall be the duty of the county clerk of each county to immediately certify to the State Tax Commission a copy of each registration as made.

§ 5. Every person, firm, corporation or association engaged in the transportation of crude petroleum in the state from the tanks or other receptacles located at the place of production in the state shall, for the purposes of this act, be considered a transporter of crude petroleum, and every such transporter of crude petroleum shall make a monthly verified report to the State Tax Commission on or before the 20th day of the month succeeding the month in which the crude petroleum is so received for transportation, showing the quantity of each kind or quality of all crude petroleum so received from each county in the state and the market value of such crude petroleum on the first business day after the tenth day of the month in which such report is made and such report shall show any sales of such crude petroleum so received, in which event it shall show the quantity of crude petroleum in each sale, the date of each sale, and the market price of such crude petroleum on each date of sale for such preceding month, and said report shall be made upon blanks furnished and prescribed by the State Tax Commission.

§ 6. The State Tax Commission shall, upon receiving the reports provided for in section 5 hereof, upon such reports and such other reports and information as it may secure, assess the value of all grades or kinds of crude petro-

leum so reported for each month, and, on or before the last day of the month in which such reports are required to be made, notify each transporter of crude petroleum so reporting of such assessment, and certify such assessment to the county clerk of each county which has reported the levy of the county tax provided for in section 2, for record, and such county clerk shall immediately deliver a copy thereof to the sheriff of such county for the collection of such county tax. The transporter so notified of the assessment shall have until the twentieth day of the month following such notice, in which to be heard by the State Tax Commission on any objection to such assessment, and the assessment shall become final on such twentieth day of the month and the tax be due and payable on that day. The State Tax Commission shall make the assessment of the value of the crude petroleum so reported by each transporter of crude petroleum as follows:

Where the report shows no sale of crude petroleum during the month covered by such report, then the market value of crude petroleum on the first business day after the tenth day of the month in which the report is made shall be fixed as the assessed value of all crude petroleum covered by such report.

But where the report shows sales of crude petroleum during the month covered by such report, if it shows that all crude petroleum so reported has been sold, then the market price of such crude petroleum on each day of such sale or sales shall be the assessed value of all crude petroleum sold on such date of sale and the total amount of the tax to be reported as the assessment on such report shall be the total of the assessment or assessments made on such sale or sales; but if such report shows that any part of the crude petroleum so reported remains unsold, then as to such portion remaining unsold the market price of the crude petroleum on the first business day after said tenth day of the month following the month covered by such report, shall be fixed as the assessed

value of such portion of the crude petroleum unsold, and the total amount of the tax to be reported as the assessment on such report shall be the total of the assessments made on such sold and unsold crude petroleum.

The State Tax Commission in making its assessments shall take into consideration transportation charges.

§ 7. Every person, firm, corporation or association required to make report as provided in section 5 hereof shall be responsible and liable for the taxes as herein set forth on all crude petroleum so received by it, and shall collect from the producer in either money or crude petroleum, the taxes imposed under the provisions of this act; but, if collection is in crude petroleum, such transporter is authorized and empowered to sell the same, and pay said taxes by check or cash to the State Tax Commission or sheriff, as provided in this act.

§ 8. The State Tax Commission may require reports on blanks prepared by it from all producers and transporters of crude petroleum in addition to the reports above provided for, as it may deem necessary, from time to time.

§ 9. Any person, firm, corporation or association required to make reports or collect and pay the taxes hereunder, failing to pay such taxes, penalty or interest, after becoming delinquent, or failing to make any report, required by this act, for thirty days after the date upon which the same is required by this act to be made, or failing for thirty days after engaging in the transportation of crude petroleum, as set out herein, to register as required hereby, shall be deemed guilty of a misdemeanor, and on conviction shall be fined fifty dollars ($50.00) for each day of such failure, to be recovered by indictment or civil action, and a false report shall be deemed a failure to report under this act.

§ 10. All acts and parts of acts in conflict herewith are hereby repealed.

§ 11. Whereas, the law under which the tax on crude petroleum is collected is difficult of administration, and much unnecessary work is required in the collection of taxes and making of reports, and whereas, another quarter will be due on the first day of March, 1918, an emergency is declared to exist and this act will become effective upon its approval by the Governor.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	W. G. Dycus	M. E. Lee
B. S. Bailey	F. A. Easterling	J. E. Lilly
L. D. Baldauf	I. H. Gabbard	Harry J. Meyers
J. H. Ballard	Lake Garnett	Clarence Miller
W. T. Beckham	W. H. Hager	John T. Murphy
B. C. Beckmann	A. L. Hamilton	Ryland C. Musick
H. V. Bell	L. B. Hamilton	A. J. McCandless
Leroy Bonta	E. C. Hardin	W. P. McDonogh
W. P. Bowman	B. H. Harris	S. Lee McGohan
O. V. Brown	Joe Huddleston	H. C. McLellen
R. J. Cain	Chas. L. Hunter	W. B. O'Bannon
A. S. Cooper	J. W. Johnson	T. P. Oliver
Fred Cornelius	Griffin Kelly	W. F. Paris
W. P. Cropper	W. F. Klair	Lilburn Phelps
J. C. Davis	H. A. Knollmann	Luther Pieratt
A. A. Demunbrun	W. T. Lasley	Ote Piper
Harry Dill	Joseph Lazarus	H. C. Rice

Lewis Ryans	John W. Swope	G. C. Waggoner
Avery Sartin	Elmore Thomas	G. Frank Walthal
Joe Schneider	J. T. Thornton	T. R. Welch
Claude B. Smith	S. G. Thornberry	W. N. Winn
T. J. Smith	J. Wood Vance	E. G. Young
Ben Street	F. C. VanHoose	—68

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 30. An act to amend section 2260 of the Kentucky Statutes, Carroll's edition, providing for the pay of jurors and re-enacting the same.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 2260 of the Kentucky Statutes, Carroll's edition, entitled: "Pay of in Circuit and Inferior Courts —Jury Fee," be, and the same is, hereby amended by inserting in line two thereof, after the word "receive," and before the word "dollars," the word "three," so that said section, when amended, shall read as follows:

"Pay of in Circuit and Inferior Courts—Jury Fee.—Jurors in the circuit court shall receive three dollars per day, and when kept together over night in custody of the sheriff, shall receive one dollar additional for each night they are so kept together; and in courts inferior to the circuit court, fifty cents for each case. In the circuit court a

jury fee of four dollars shall be taxed as costs against the unsuccesful party; and in the other courts the costs of a jury shall be paid by the party demanding the jury, and shall be taxed as costs against the unsuccessful party; but in such courts, if the same juror serves on more than two juries in one day, he shall not be allowed anything for such excess."

Mr. Musick offered the following amendment to said bill, viz.:

Amend House Bill No. 30 by adding after the word "be," in line ten, the words "paid by the successful party and."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the pasage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	Fred Cornelius	M. E. Gilbert
Chas. Ashby	James S. Cruse	W. H. Hager
J. H. Ballard	J. C. Davis	J. S. Hall
B. C. Beckmann	A. A. Demunbrun	A. L. Hamilton
W. P. Bowman	Harry Dill	L. B. Hamilton
O. V. Brown	W. G. Dycus	E. C. Hardin
R. J. Cain	F. A. Easterling	B. H. Harris
T. L. Caudel	L. L. Embry	Joe Huddleston
H. C. Chappell	I. H. Gabbard	J. W. Johnson
A. S. Cooper	Lark Garnett	Leslie P. Jones

W. H. Jones	A. J. McCandless	R. T. Smith
Griffin Kelly	S. Lee McGohan	T. J. Smith
S. D. Laughlin	H. C. McLellen	Thomas Spurrier
Joseph Lazarus	A. J. Oliver	Elmore Thomas
Harry J. Meyers	W. F. Paris	S. G. Thornberry
Clarence Miller	Luther Pieratt	J. Wood Vance
John T. Murphy	Ote Piper	F. C. VanHoose
Ryland C. Musick	Avery Sartin	—53

Those who voted in the negative were—

W. T. Beckham	H. A. Knollmann	Claude M. Thomas
H. V. Bell	W. T. Lasley	G. Frank Walthal
Leroy Bonta	J. E. Lilly	W. N. Winn
W. P. Cropper	W. P. McDonogh	E. G. Young
David J. Howard	H. C. Rice	
W. F. Klair	Claude B. Smith	—16

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 297. An act to prescribe and provide a license tax upon all persons, firms or corporations standing a stud-horse, jack or bull in this Commonwealth, and fixing the amount of said license, fixing the date of the expiration of the license provided for, and providing the manner for registering and recording of the breed, name, age, color, sire and dam of the animal to be licensed, and fixing a fee for such registration, and fixing penalties for failure to procure licenses.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Every person, firm or corporation who shall stand a stud-horse, jack or bull in this Commonwealth, shall pay as a license tax to the Commonwealth of Kentucky for the privilege of standing said stud-horse, jack or bull, a sum equal to twenty per cent (20%) of the greatest sum charged for services of the animal to be stood, whether the same be for a season or to insure a get; provided, however, that the minimum license for any stud-horse shall be five dollars ($5.00) and the minimum license for any jack shall be three dollars ($3.00) and the minimum license for any bull shall be one dollar ($1.00). And in addition to said license, each person applying for the license shall pay to the Commissioner of Agriculture of this Commonwealth the sum of one dollar ($1.00) as a registration fee; said one dollar ($1.00) to be paid to the county court clerk at the time of the issual of any license for a stud-horse, jack or bull.

The applicant for such license shall state on oath the largest amount he intends to charge, directly or indirectly, for the service of the animal, and if in property or other things, the value thereof, and said license shall be procured before any service of any such animal is rendered.

§ 2. The Commissioner of Agriculture shall provide proper blanks upon which shall be recorded the breed, name, age, color, sire and dam, together with the name and post office address of the owner of the animal licensed under section one of this act, together with a statement as to whether or not the animal is registered in any stud-book, naming the volume and page in which said registry is contained, if any.

§ 3. Any person, firm or corporation who shall stand a stud-horse, jack or bull before procuring the license required by this act shall be fined not less than five dollars ($5.00) nor more than five hundred dollars ($500.00) and each service shall constitute a separate offense.

§ 4. All laws and parts of laws in conflict with this act are hereby repealed.

Mr. Kelly offered the following amendment to said bill, viz.:

Amend House Bill No. 297 by striking out the words "five" in line six and insert in lieu thereof the word "ten" and in line seven the figure "three" and insert in lieu thereof "ten."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	James S. Cruse	W. F. Klair
Chas. Ashby	A. A. Demunbrun	H. A. Knollmann
B. S. Bailey	J. M. Elliston	W. T. Lasley
J. H. Ballard	I. H. Gabbard	Joseph Lazarus
Robert Bays	Lark Garnett	J. E. Lilly
B. C. Beckmann	W. H. Hager	Harry J. Meyers
H. V. Bell	J. S. Hall	John T. Murphy
W. P. Bowman	A. L. Hamilton	W. P. McDonogh
O. V. Brown	B. H. Harris	A. J. Oliver
A. S. Cooper	David J. Howard	T. P. Oliver
Fred Cornelius	J. W. Johnson	H. C. Rice
W. P. Cropper	Griffin Kelly	Joe Schneider

Claude M. Thomas	J. Wood Vance	T. R. Welch	
Geo. F. Thompson	G. C. Waggoner	W. N. Winn	
J. T. Thornton	G. Frank Walthal		—44

Those who voted in the negative were—

W. G. Dycus	Lilburn Phelps	T. J. Smith	
L. L. Embry	Luther Pieratt	John W. Swope	
Joe Huddleston	Avery Sartin	S. G. Thornberry	
W. H. Jones	R. T. Smith	F. C. VanHoose	
			—12

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 131. An act providing for the payment of premiums on bonds executed by certain state officers.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That whenever a state officer, elected by the voters of the state-at-large, and who is required under the law to give a bond for the faithful discharge of his duties shall have such bond executed by an incorporated surety company authorized to do business in the State of Kentucky as surety, the state shall pay the premium on such bond, and said premium shall become a claim against the state, and shall be paid as other claims are paid; provided, that before any such claim

is paid it shall be verified by the affidavit of the officer for whom such bond was executed; provided, however, that the surety and the amount of the premium to be paid on the bond shall first be approved by the Governor of Kentucky.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	F. A. Easterling	Lewis Ryans
J. H. Ballard	I. H. Gabbard	Joe Schneider
B. C. Beckmann	A. L. Hamilton	Ben Street
H. V. Bell	W. F. Klair	Geo. F. Thompson
H. C. Chappell	Harry J. Meyers	G. C. Waggoner
A. S. Cooper	Ryland C. Musick	G. Frank Walthal
Fred Cornelius	W. P. McDonogh	T. R. Welch
A. A. Demunbrun	A. J. Oliver	
Harry Dill	H. C. Rice	—25

Those who voted in the negative were—

Chas. Ashby	W. G. Dycus	B. H. Harris
B. S. Bailey	J. M. Elliston	David J. Howard
W. T. Beckham	L. L. Embry	Joe Huddleston
Leroy Bonta	Lark Garnett	J. W. Johnson
W. P. Bowman	M. E. Gilbert	Leslie P. Jones
R J. Cain	W. H. Hager	W. H. Jones
T. L. Caudel	J. S. Hall	Griffin Kelly
W. P. Cropper	L. B. Hamilton	H. A. Knollmann

W. T. Lasley	Lilburn Phelps	Claude M. Thomas
S. D. Laughlin	Luther Pieratt	Elmore Thomas
M. E. Lee	Ote Piper	S. G. Thornberry
J. E. Lilly	Avery Sartin	J. Wood Vance
A. J. McCandless	Claude B. Smith	F. C. VanHoose
S. Lee McGohan	R. T. Smith	W. N. Winn
W. B. O'Bannon	T. J. Smith	
W. F. Paris	John W. Swope	—46

And so said bill was rejected.

Mr. Beckham moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 219. An act to amend and re-enact sections 3140 and 3138, Kentucky Statutes, Carroll's 1915 edition, being a part of the charter of cities of the second class.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3140, Kentucky Statutes (Carroll's 1915 edition), be, and it is, amended and re-enacted so as to read as follows:

The number of firemen, policemen, detectives and officers of the police and fire departments shall be such as the general council or commissioners, where the commission form of government prevails, may, from time to time, ordain; and the said general council or commissioners shall, by ordinance, fix the salaries of the officers and employes and provide for

their payment, and the payment of other expenses, of each of said departments.

§ 2. That section 3138, Kentucky Statutes (Carroll's 1915 edition), be, and it is, amended and re-enacted so as to read as follows:

Subsection one: Wherever in this section the term general council, or commissioners, or board, is employed, it shall be construed to mean the legislative branch of the city government.

Sub-section Two: That the commissioners shall have full control over the police and fire departments of the city, together with all the property and paraphernalia belonging thereto and are empowered to ordain and put into execution such by-laws, rules and regulations for the government of each of said departments as may be deemed expedient; to prescribe the qualifications of the members and officers of each department; to appoint a chief of police and all policemen; a chief of the fire department and all subordinates; to prescribe their duties, and to grade the officers of each department and prescribe their several duties.

Sub-section Three: The commissioners shall require all applicants for appointment as members of the police force to be examined as to their qualifications to fill the office of police man, and as to his knowledge of the English language and as to the law and rules governing the duties of policemen. Each member of the police force shall be a qualified voter of the city in which he is appointed and be able to read and write and understand the English language, and to have such other qualifications as may be prescribed.

No person shall be appointed a member or officer of the police force unless he is well known to be a man of sobriety and integrity and has been, and is, an orderly, law-abiding citizen, nor shall any person be appointed a member or officer of said force on account of any political partisan service rendered by him, or on account of political sentiment or affiliations, nor shall any officer or member of said force be removed

or discharged or reduced in grade, or in pay, for any political partisan opinion. Their appointments and continuance upon the police force shall depend solely upon their ability and willingness to enforce the law, and comply with the rules of the police department. The examination and qualifications provided for in this act shall not apply to the members of the police force at this time, but all members of the police force at the time this law takes effect, and after the general council has fixed by ordinance pursuant to this act the number of policemen, and all members thereof, who may hereafter be appointed, shall hold said position during good behavior.

Sub-section Four: No member or officer of the police force shall be removed from the force, reduced in grade or pay, upon any reason except inefficiency, misconduct, insubordination or violation of law or rules adopted by the commissioners. Any person may prefer charges against an officer or member of the police force, which must be filed in the office of the Commissioner of Public Safety, who shall thereupon communicate said charges without delay to the other members of the said board. Said charges must be written, signed by the person making said charges, and must set out with clearness and distinctness each and every charge. It shall be the duty of the Commissioner of Public Safety, whenever probable cause appears, to prefer charges against any member or officer of the police force, whom he believes to have been guilty of any conduct justifying his removal, or punishment, in the interest of the public order. The charges filed by the Commissioner of Public Safety shall be written and shall set out with distinctness and clearness the charges made, and upon the hearing of any charges, as hereinafter provided, all said charges shall be considered as traversed, and put in issue, and the trial shall be confined to these issues so presented. All charges against members or officers of the police force shall be forthwith filed by the Commissioner of Public Safety with the clerk of said board, and within three days after said filing, the commissioners shall proceed to hear and examine said charges; provided two days before said hearing

the officer or member of the police force accused has been served with a copy of said charges, and a statement of the day, place and hour at which and when the hearing of said charges shall begin. The person accused may, however, in writing waive the services of said charges, and demand trial within three days after said charges are filed with the clerk of said board. The board shall have the power to summons and compel the attendance of witnesses at all sittings, or hearings, by said board upon subpoena, issued by the clerk of said board and served upon said witnesses by any officer authorized to serve subpoenas from any court of justice in the county, and said board shall have all powers of a justice of peace, to punish for contempt. The officer or member of the police force accused shall have the right to have subpoened in his behalf any witness he may desire, upon furnishing their names to the clerk of said board, and shall further have the right to appear in person and by counsel at the hearing of said board; the finding of said board shall be reduced to writing as a judgment, and shall be entered in a book to be kept for that purpose, and the written charges filed in the matter shall also be recorded in full in said book immediately preceding the record of finding of said board.

In cases where the Commissioner of Public Safety has probable cause to believe that the officer or member of the police force may be guilty of any conduct justifying removal or punishment he may suspend said officer or member from duty, or from both pay and duty, pending said trial, and said officer or member shall not be placed on duty, or allowed pay thereafter, until the charges are heard by the board. The board shall fix the punishment against an officer or member of the police force, found guilty of any charge under this statute, at a reprimand or at a fine not to exceed $100.00 or suspension at any length of time in their judgment not to exceed six months or by reducing the grade, if the accused be an officer, or by combining any two or more of said punishments, or removal or dismissal from the service of either officer or member of the force. No officer or member of the police force

except as provided in this act, shall be fined, reprimanded, removed, suspended or dismissed from the police force until written charges have been made or preferred against him, and trial had as herein provided.

Sub-section Five: Any officer or member of the police force who shall be found guilty by the board of any charge, as herein above provided, shall have the right to appeal to the circuit court of the county in which said city may be located, provided the punishment be a fine of $20.00 or more, or a suspension of more than ten days, or reducing the grade of an officer, or a removal or dismissal from the police force, and the enforcement of the judgment of said board under said charges shall be suspended pending said appeal, provided the accused executes a supersedeas bond, in which he shall undertake to repay the city all cost of said appeal and all salary he may receive from the time of said judgment pending said appeal. Upon the request of the party accused, the clerk of the board shall file a certified copy of the charges made, and of the judgment or the finding of the board in the circuit court, which transcript having been filed, the cause shall be docketed in the circuit court and tried *de novo* by the judge of the said court, but upon the demand of the accused, or of the city, said cause shall be tried before a jury. Should the clerk of the board fail to certify and transmit the transcript aforesaid to the circuit court within five days after the request is made for same, then the party aggrieved may file an affidavit in the said circuit court, setting out as fully as possible the charges made, the time of the trial by said court, and the judgment of said board, together with the statements of the fact that demand for transcript had been made upon the clerk of said board more than five days before the filing of said affidavit.

Upon the filling of said affidavit in the circuit court said cause shall be docketed in said court and the circuit court is hereby authorized to compel the filing of said transcript by said clerk, by entering the proper mandatory orders, and by fine and imprisonment, as in other cases of contempt. An appeal will lie from the judgment of the circuit court to the

Court of Appeals, as in other cases, provided the punishment fixed by the board be suspension for more than sixty days, reducing the grade of an officer, removal or dismissal from the force.

§ 3. All acts and parts of acts in conflict with this act in so far as same conflict herewith are hereby repealed.

The Committee on Municipalities offered the following amendments to said bill, viz.:

Amend House Bill 219, Sub-sec. 3, of Section 2, of line 16 of the printed bill after the word force and before the word to, by adding the words "or Fire Department."

And in line 17 of said printed House bill after the word policemen and before the word and, by adding "or fireman."

And in line 19 of said printed bill after the word policemen "or firemen."

And also in line 19 of said printed bill after the word force and before the word shall, by adding "or fire department."

Amend House Bill No. 219, sub-section three thereof, in line 23 of the printed bill after the word force, "or fire department."

And by adding in line 26 of said printed bill, after the word force and before the word on, "or fire department."

And also in line 28 of said printed bill after the word force and before the word be, by adding "or fire department."

And also in line 30 of said printed bill after the word force by adding the following, "or fire department."

And in line 32 of said printed bill after the word police and before the word department, by adding "or fire."

And in line 34 of said printed bill after the word force and before the word at, by adding "or fire department."

Also in line 35 after the word force and before the word at, in said printed bill, by adding "or fire department."

And in line 36 of said printed bill after the word policeman and before the word and, add the following: "and firemen."

Amend sub-section four of House Bill No. 219 by adding in line 39 of the printed bill after the word force and before the word shall, the words, "or fire department."

And in line 40 of sub-section four of said printed bill after the word force and before the word reduced, by adding "fire department."

And in line 43 of sub-section four of the printed bill after the word force and before the word which, by adding "or fire department."

And in line 50 of the printed bill after the word force and before the word whom, by adding "or fire department."

And in line 57 of said printed bill after the word force by adding "or fire department."

And in line 61 after the word force and before the word accused, by adding "or fire department."

And in line 72 of the printed bill after the word force and before the word accused, by adding "or fire department."

And in line 81 of the printed bill after the word force and before the word may, by adding "or fire department."

And in line 87 of said printed bill after the word force and before the word found, by adding "or fire department."

And in line 92 of the printed bill after the word force and before the word except, by adding "or fire department."

And in line 94 of said printed bill after the word force and before the word until, by adding "or fire department."

Amend sub-section five of Section two of House Bill No. 219 in line 95 of the printed bill after the word force and before the word who, by adding "or fire department."

Each and all of the said foregoing amendments were adopted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title, and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	I. H. Gabbard	W. B. O'Bannon
B. S. Bailey	Lark Garnett	A. J. Oliver
L. D. Baldauf	W. H. Hager	T. P. Oliver
J. H. Ballard	J. S. Hall	W. F. Paris
W. T. Beckham	A. L. Hamilton	Lilburn Phelps
B. C. Beckmann	L. B. Hamilton	Luther Pieratt
H. V. Bell	E. C. Hardin	Ote Piper
Leroy Bonta	B. H. Harris	Richard Radcliffe
W. P. Bowman	David J. Howard	H. C. Rice
J. L. Bradford	J. W. Johnson	Lewis Ryans
O. V. Brown	Griffin Kelly	Avery Sartin
R. J. Cain	W. F. Klair	Joe Schneider
T. L. Caudel	H. A. Knollmann	Claude B. Smith
H. C. Chappell	S. D. Laughlin	John W. Swope
A. S. Cooper	M. E. Lee	Claude M. Thomas
Fred Cornelius	J. E. Lilly	Geo. F. Thompson
W. P. Cropper	Harry J. Meyers	J. T. Thornton
James S. Cruse	Clarence Miller	S. G. Thornberry
J. C. Davis	John T. Murphy	J. Wood Vance
A. A. Demunbrun	Ryland C. Musick	G. C. Waggoner
Harry Dill	A. J. McCandless	T. R. Welch
W. G. Dycus	W. P. McDonogh	E. G. Young
L. L. Embry	S. Lee McGohan	—68

Those who voted in the negative were—

R. T. Smith	T. J. Smith	—2

Resolved that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, viz.:

S. B. 21. An act relating to charitable institutions, and to appropriate money to the Eastern State Hospital, the Western State Hospital, the Central State Hospital, and the Kentucky Institute for Feeble Minded Children to pay existing indebtedness of and deficits in accounts of aforenamed charitable institutions and to provide for certain improvements at the Western State Hospital and the Eastern State Hospital.

To the Committee on Rules.

S. B. 25. An act for the benefit of the Kentucky Schools for the Deaf—white and colored.

To the Committee on Rules.

S. B. 83. An act for the benefit of the Kentucky Normal Industrial Institute for Colored Persons.

To the Committee on Rules.

S. B. 96. An act relating to agriculture, labor and statistics, and appropriating money to provide for the continuance of extension work in the State of Kentucky by the Agricultural College of the University of Kentucky, under the provisions of an act of Congress of the United States, ap-

proved May 8, 1914, entitled: An act to provide for co-operative extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress, approved July 2, 1862, and an act supplementary thereto, and the United States Department of Agriculture, and repealing Section 5 of Chapter 20, Acts of 1916.

To the Committee on Rules.

S. B. 111. An act for the benefit of West Kentucky College, making appropriations therefor, providing for state ownership of lands bought or improved, and prescribing regulations for the control of said institution.

To the Committee on Rules.

S. B. 135. An act to repeal section 3512 of the Kentucky Statutes, Carroll's, and to provide in its stead the means of procuring a special judge of the police court.

To the Committee on Rules.

S. B. 152. An act to appropriate money to be expended by the Board of Prison Commissioners for improvements in the cell houses at the state penitentiary, Eddyville, Ky.

To the Committee on Rules.

S. B. 168. An act to appropriate money to be expended by the Board of Prison Commissioners at the state reformatory, Frankfort, Ky., for complete electric wiring throughout, heating plant for shoe factory, new boilers, electric motor and engine and dynamo.

To the Committee on Rules.

S. B. 191. An act to provide for the commitment, care, treatment, training, segregation and custody of feeble-mind-

ed, epileptic and insane persons; to provide an appropriation therefor and to repeal all acts inconsistent herewith, and specifically sections 264 and 271, inclusive, of the Kentucky Statutes, Carroll's edition of 1915, which concern the Kentucky Institute for the Feeble-minded Children, and sections 2156 to 2171, inclusive, of the Kentucky Statutes, Carroll's edition of 1915, which concern idiots and lunatics, and provide penalties for the violation of this act.

To the Committee on Rules.

S. B. 231. An act to prevent fraudulent advertising in the state of Kentucky.

To the Committee on Rules.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 271. An act fixing the fees of the county court clerk for issuing license.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. For issuing a license the county court clerk shall be entitled to receive and collect fees as follows:

For marriage license, bond, certificate and recording the same, $1.50.

For each license to hunt and fish, $0.50.

For any other license, except a license to fish and hunt, $1.50.

§ 2. Any laws in conflict with this act are hereby repealed.

The Committee on Public Offices offered the following amendment to said bill, viz.:

Amend same by striking out line four entirely, "for each license to hunt and fish, fifty cents."

Said amendment was adopted.

Mr. McDonogh offered the following amendment to said bill, viz.:

Amend House Bill No. 271 by striking out line five.

Mr. McDonogh offered the following amendment to said bill, viz.:

Amend House Bill No. 271 by inserting in line five, after the word "except," the words "license on dogs."

And by striking out "a" and inserting "and' in same line.

Mr. Claude M. Thomas offered the following amendment to said bill, viz.:

Amend by striking out line five in printed bill.

Mr. Lasley moved that said bill and all pending amendments be laid on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 131. An act to amend sections 1, 7, 16, 17 and 45 of an act entitled an act to provide an elective system of workmen's compensation for industrial accidents, and known as

chapter 33 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved by the Governor on March 23, 1916.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Par. 1. That section 1 be and the same is hereby amended by striking from said section after the word "having" and before the word "or" the word "five" and inserting in lieu thereof the word "three," and re-enacted so that said section, when amended, shall read as follows:

Section 1. This act shall apply to all employers having three or more employees regularly engaged in the same occupation or business and to their employees except that it shall not apply to domestic employment, agriculture, steam railways, or such common carriers, other than steam railways, for which a rule of liability is provided by the laws of the United States. It shall affect the liability of the employers subject thereto to their employees for personal injuries sustained by the employee by accident arising out of and in the course of his employment or for death resulting from such accidental injury; provided, however, that personal injury by accident as herein defined shall not include diseases except where the disease is the natural and direct result of a traumatic injury by accident nor shall they include the results of a pre-existing disease.

Any employers and employees who are, by the provisions of this section, excepted from the provisions of this act may subject themselves thereto by joint voluntary application to the board, in writing, which shall be irrevocable during such period and effective thereafter until a written revocation be filed with the board or the employment be terminated.

Par. 2. That section 7 be and the same is hereby amended by striking from said section after the words "the first"

and before the word "of" the words "two weeks," and inserting in lieu thereof the words "five days" and by striking from said section after the word "after" and before the word "after" the words "two weeks" and inserting in lieu thereof the words "five days" and by adding after the word "paid" in said section the words "Provided, however, this section as amended shall not become effective until August 1, 1918," and re-enacted so that the section, when amended, shall read as follows:

Section 7. Except as provided in sections four and five hereof, no compensation shall be payable for the first five days of disability and all compensation shall be payable on the regular pay day of the employer commencing with the regular pay day after five days after the injury, with interest at the rate of six per cent per annum on each instalment from the time it is due until paid. Provided, however, this section as amended shall not become effective until August 1, 1918.

Par. 3. That section 16 be and the same is hereby amended by striking from said section after the words "the first" and before the word "thereof," the words "two weeks" and inserting in lieu thereof the words "five days" and re-enacted so that the section, when amended, shall read as follows:

Section 16. Where the injury causes total disability for work, the employer, during such disability, except the first five days thereof, shall pay the employee so injured a compensation equal to 65% of his average weekly earnings, not to exceed twelve dollars nor less than five dollars per week, such payments to be made during the period of total disability, but not longer than eight years after the date of the injury, not in any case to exceed the maximum sum of five thousand dollars. In case the period of total disability begins after a period of partial disability, the period of partial disability shall be deducted from the total period of eight years during which compensation for total disability may be payable and the payments made on account of such partial

disability shall be deducted from the maximum of five thousand dollars.

In case of the following injuries the disability shall be deemed total and permanent, to-wit:

(1) The total and permanent loss of sight in both eyes.

(2) The loss of both feet at or above the ankle.

(3) The loss of both hands at or above the wrist.

(4) A similar loss of one hand and one foot.

(5) An injury to the spine resulting in permanent and complete paralysis in both arms or both legs or of one arm and one leg.

(6) An injury to the skull resulting in incurable insanity or imbecility.

The above enumeration is not to be taken as exclusive, but in all other cases, the burden of proof shall be on the claimant to prove that his injuries have resulted in permanent total disability.

Par. 4. That section 17 be and the same is hereby amended by striking from said section after the word "first" and before the word "thereof" the words "two weeks" and inserting in lieu thereof the words "five days" and re-enacted so that the section when amended shall read as follows:

Section 17. In case of an injury resulting in temporary, partial disability, except the first five days thereof a weekly compensation equal to 65% of the difference between his average weekly earnings before the injury and the average weekly earnings which he earns or is able to earn in some suitable employment after the injury and during such diasbility, not to exceed 335 weeks from the date of injury nor exceed the sum of $12 per week nor the maximum sum of $4,000. In case partial disability follows a period of total disability such period of total disability shall be deducted from the maximum period allowed for partial disability and the benefits paid on account thereof from the maximum allowed for partial disability.

Par. 5. That section forty-five be and the same is hereby amended by striking from said section the words "for the purpose of this act the State of Kentucky is hereby divided into three districts, to be known respectively as the Eastern, Central and Western Districts. The Eastern District shall contain the counties of Carroll, Gallatin, Boone, Kenton, Campbell, Owen, Grant, Pendleton, Bracken, Scott, Harrison, Robertson, Mason, Woodford, Jessamine, Fayette, Bourbon, Nicholas, Fleming, Lewis, Greenup, Boyd, Carter, Elliott, Rowan, Bath, Montgomery, Clark, Madison, Estill, Powell, Menifee, Morgan, Lawrence, Johnson, Martin, Pike, Floyd, Knott, Letcher, Perry, Magoffin, Wolfe, Lee, Breathitt, Owsley. The Central District, the counties of Trimble, Henry, Oldham, Jefferson, Shelby, Franklin, Bullitt, Spencer, Anderson, Nelson, Washington, Mercer, Marion, Boyle, Garrard, Lincoln, Rockcastle, Green, Taylor, Adair, Casey, Russell, Pulaski, Cumberland, Clinton, Wayne, McCreary, Whitley, Laurel, Jackson, Clay, Leslie, Knox, Bell, Harlan. The Western District, the counties of Fulton, Hickman, Graves, Carlisle, Ballard, McCracken, Calloway, Marshall, Livingston, Crittenden, Lyon, Caldwell, Trigg, Christian, Hopkins, Webster, Union, Henderson, Daviess, McLean, Muhlenberg, Todd, Logan, Butler, Ohio, Hancock, Breckinridge, Meade, Hardin, Grayson, Larue, Edmonson, Hart, Warren, Barren, Metcalfe, Monroe, Allen. One member of the board, as first constituted, shall be appointed for each district, the successors of each to thereafter be appointed from such district. During his term of office each member shall maintain his residence at some point in his district and shall adopt and maintain office hours for at least one day of the week at some point in his district, during usual business hours; the place, day and time of maintaining such office hours and the place of residence of the member shall be shown upon the official stationery used by him in his district," and inserting in lieu thereof the words "the place of residence of each member shall be shown upon

the official stationery used by the said board," and re-enacted so that said section as amended shall read as follows:

Section 45. The place of residence of each member shall be shown upon the official stationery used by the said board.

The Committee on Compensation for Industrial Injuries offered the following amendments to said bill, viz.:

Amend Senate Bill No. 131 in House by striking out the worde "five" and inserting "seven" in the following lines:

Page 2, paragraph 2, lines 3 and 7.
Page 3, paragraph 2, lines 12 and 14.
Page 3, paragraph 3, lines 4 and 7.
Page 4, paragraph 4, lines 3 and 7.

Said amendments were adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	R. J. Cain	I. H. Gabbard
B. S. Bailey	H. C. Chappell	Lake Garnett
L. D. Baldauf	Fred Cornelius	M. E Gilbert
W. T. Beckham	W. P. Cropper	W. H. Hager
B. C. Beckmann	A. A. Demunbrun	E. C. Hardin
H. V. Bell	Harry Dill	B. H. Harris
Leroy Bonta	W. G. Dycus	David J. Howard
W. P. Bowman	F. A. Easterling	Joe Huddleston
O. V. Brown	J. M. Elliston	Chas. L. Hunter

J. W. Johnson	W. P. McDonogh	Claude B. Smith
W. H. Jones	S. Lee McGohan	R. T. Smith
Griffin Kelly	H. C. McLellen	Ben Street
W. F. Klair	W. B. O'Bannon	John W. Swope
H. A. Knollmann	A. J. Oliver	Claude M. Thomas
S. D. Laughlin	T. P. Oliver	Elmore Thomas
M. E. Lee	W. F. Paris	S. G. Thornberry
J. E. Lilly	Lilburn Phelps	F. C. VanHoose
Harry J. Meyers	Luther Pieratt	G. C. Waggoner
Clarence Miller	H. C. Rice	G. Frank Walthal
John T. Murphy	Lewis Ryans	T. R. Welch
Ryland C. Musick	Avery Sartin	W. N. Winn
A. J. McCandless	Joe Schneider	E. G. Young

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Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled, viz.:

H. B. 183. An act to amend and re-enact section 3956, chapter 105, Kentucky Statutes, 1905, relating to public printing, binding and stationery, which is now section 3956 Kentucky Statutes, 1915 edition.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3956, chapter 105, Kentucky Statutes, 1909 edition, be, and the same is, hereby repealed, and that the following be enacted in lieu thereof, in words and figures as follows, to-wit:

Section 3956. The printing and binding for the state shall be divided into three classes, to be let in separate contracts, as follows: the printing of all bills for the two houses of the General Assembly, together with such resolutions and other matters as may be ordered by the two houses, or either of them, to be printed in bill form, and the printing and binding of the journals of the two houses, together with such reports, communications and other documents as enter into and make a part of the journals, the printing and binding of the volumes of the public documents, and of the general and local laws and joint resolutions; the printing and binding of all reports, documents and other matters, bound in either book or pamphlet form, except such as shall enter into or be bound with the journals of the two houses, and all printing for the department of public instruction, and all miscellaneous printing and binding necessary for the several departments, and not otherwise provided for in this law, shall constitute the first class and be let in one contract. The lithographic printing and engraving shall constitute the second class, and be let in one contract; and the furnishing of all printing paper, stationery, and such other supplies for the use of the state as are provided for in this law shall constitute the third class, and be let in one contract. The manufacture and furnishing of all blank books used by counties which are to be paid for partly out of the state treasury, shall be let on contracts made by the county and circuit clerks. Nothing in this act shall be construed to repeal section 388, Kentucky Statutes, 1909-1915, nor to annul, change, or alter any existing contracts for such books. Provided, however, that nothing herein contained shall be construed so as to prevent the same person from becoming the contractor for two or more classes of the printing and binding, if he be the lowest and best bidder therefor; but the contract for furnishing of paper, stationery and supplies for the printing and binding specified in the first class, shall be separate and independent from any of the other classes, and shall be let in one contract.

Mr. A. L. Hamilton offered the following amendment to said bill, viz.:

Amend House Bill No. 183 by striking out of line 24 the word "partly."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	B. H. Harris	T. P. Oliver
B. S. Bailey	Joe Huddleston	H. C. Rice
L. D. Baldauf	Leslie P. Jones	Lewis Ryans
J. H. Ballard	Griffin Kelly	Joe Schneider
B. C. Beckmann	W. F. Klair	Claude B. Smith
H. V. Bell	W. T. Lasley	T. J. Smith
W. P. Bowman	Joseph Lazarus	Thomas Spurrier
O. V. Brown	M. E. Lee	Ben Street
A. S. Cooper	J. E. Lilly	John W. Swope
A. A. Demunbrun	Harry J. Meyers	Elmore Thomas
Harry Dill	Clarence Miller	J. T. Thornton
W. G. Dycus	W. P. McDonogh	G. C. Waggoner
J. M. Elliston	S. Lee McGohan	G. Frank Walthal
A. L. Hamilton	H. C. McLellen	T. R. Welch
E. C. Hardin	W. B. O'Bannon	W. N. Winn

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Those who voted in the negative were—

W. T. Beckham	L. B. Hamilton	Lilburn Phelps
Leroy Bonta	David J. Howard	Luther Pieratt
J. L. Bradford	Chas. L. Hunter	Ote Piper
R. J. Cain	J. W. Johnson	Richard Radcliffe
Fred Cornelius	H. A. Knollmann	Avery Sartin
W. P. Cropper	S. D. Laughlin	R. T. Smith
J. C. Davis	John T. Murphy	Claude M. Thomas
I. H. Gabbard	Ryland C. Musick	S. G. Thornberry
Lake Garnett	A. J. McCandless	J. Wood Vance
M. E. Gilbert	W. F. Paris	E. G. Young

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Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said vote was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Klair moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, MARCH 12, 1918.

The House was opened with prayer by the Rev. C. L. Bohon, Pastor of the Methodist Church.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen	B. S. Bailey	Robert Bays
Chas. Ashby	J. H. Ballard	W. T. Beckham

B. C. Beckmann
H. V. Bell
Leroy Bonta
W. P. Bowman
J. L. Bradford
O. V. Brown
R. J. Cain
T. L. Caudel
H. C. Chappell
John Cook
A. S. Cooper
Fred Cornelius
W. P. Cropper
James S. Cruse
J. C. Davis
A. A. Demunbrun
Harry Dill
H. L. Dixon
W. G. Dycus
Lark Garnett
M. E. Gilbert
W. H. Hager
J. S. Hall
A. L. Hamilton
L. B. Hamilton
E. C. Hardin
B. H. Harris
David J. Howard
Joe Huddleston
A. R. Hudson
Chas. L. Hunter
J. W. Johnson
Leslie P. Jones
W. H. Jones
Griffin Kelly
W. F. Klair
H. A. Knollmann
S. D. Laughlin
Joseph Lazarus
M. E. Lee
J. E. Lilly
Harry J. Meyers
Clarence Miller
S. H. Moore
John T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
H. C. McGehee
S. Lee McGohan
H. C. McLellen
W. B. O'Bannon
A. J. Oliver
T. P. Oliver
W. F. Paris
Lilburn Phelps
Luther Pieratt
H. C. Rice
Lewis Ryans
Avery Sartin
Joe Schneider
Claude B. Smith
R. T. Smith
T. J. Smith
Thomas Spurrier
Ben Street
John W. Swope
Claude M. Thomas
Elmore Thomas
J. B. Thomas
Geo. F. Thompson
J. T. Thornton
S. G. Thornberry
W. F. Trusty
J. Wood Vance
F. C. VanHoose
G. C. Waggoner
G. Frank Walthal
T. R. Welch
W. N. Winn
E. G. Young

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On motion of Mr. Klair the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

On motion of Mr. Klair, Master Hugh Cunningham, nephew of the Hon. McGehee, was made an Honorary Page for this day without pay.

Mr. Klair, of the Committee on Rules, offered the following joint resolution, viz.:

H. Res. 34. Resolution for the benefit of the Clerks of the House of Representatives and Senate.

Whereas the Clerks of the House of Representatives and the Senate are very hard worked, they working many hours both day and night, when the House and Senate are not in session in order that the bills, resolutions, journals and all office work may be kept at all times ready for House and Senate to act upon, and,

Whereas they receive no mileage in going to and from the session of the General Assembly, and

Whereas their pay is inadequate for such arduous duties as they are called upon to perform; therefore,

Be it resolved by this General Assembly: That the Chief Clerk and the Assistant Clerk of the House of Representatives, and the Chief Clerk and the Assistant Clerk of the Senate, each be allowed the sum of $250.00 to be paid out of the State Treasury, and the Auditor of Public Accounts is hereby directed to draw his warrant upon the Treasurer in favor of said Chief Clerks and Assistant Clerks of both House and Senate.

Ordered, that said resolution lie on the Clerk's desk.

Mr. Klair, of the Committee on Rules, offered the following resolution, viz.:

Whereas it has come to the notice of the House of Representatives that the city of Winchester was visited on Saturday night by a wind storm which resulted in the death of a number, and the injury of many of the citizens of Clark county; therefore,

Be it resolved by the House of Representatives: That it hereby tenders its sympathy and condolence to the people of Clark county, and especially to those bereaved and who suffer on account of the happening mentioned.

Said resolution was adopted.

Mr. Klair, of the Committe on Rules, offered the following report in writing of the committee appointed to investigate the feasibility of removing the headquarters of the State Board of Health to the State Capitol, which report is as follows, viz.:

Pursuant to the order of this body embodied in the resolution that a committee of three be appointed to advise it of the feasibility of removing the headquarters of the State Board of Health from its present location at Bowling Green to the State Capitol, the committee after diligent inquiry and visits to the proposed sites reports as follows:

The committee visited the present and proposed sites at Bowling Green, the sites proposed in H. B. 272 and the substitutes suggested in lieu of the old Governor's mansion, the old State House and Capitol and the suggested site at the University of Kentucky at Lexington, and if any of these sites are selected it will necessitate considerable remodelling, the cost of which could not be determined except by an experienced architect.

The executive offices of the State Board of Health are at present located in one wing in an upper story of one of the buildings of the Western Kentucky State Normal School and while somewhat crowded, offer an excellent opportunity to the hundreds of students at that institution for familiarizing themselves with the work of the prevention of disease so that the messages of good health and proper living can be carried by them as teachers to the rural schools of the State. This co-operation of the board with the Normal school is of tremendous mutual value and is deserving of careful consideration by this body before its final action to remove it to a site where there is no teachers' student body.

The board has erected a fire-proof vault which, as the law requires, shall be used to preserve the records of births

and deaths and any location which might be selected would be required to furnish a similar structure of easy access to the offices.

The old Governor's mansion, mentioned in H. B. No. 272, would be entirely inadequate to meet the demands of the reorganized board of health, and the old State House and the old capitol building suggested as substitutes, would have to undergo extensive repairs, the cost of which this committee is unable to estimate.

The present quarters of the Board of Health will be entirely inadequate to accommodate the needs of the reorganized board but it has been proposed to transfer it to a building in Bowling Green owned by the State now rented to a business college, which at a small cost will afford ample space for offices, storage and equipment.

Your committee has not had sufficient time to investigate fully the merits and demerits of this important matter, but it is fully convinced that it is not feasible at this time to remove the headquarters of the board and suggests that the reorganized Board of Health shall exercise its right given to it under the present law, to review the proposed sites, the offers which will doubtless be made to it and select its headquarters where it may be of greatest usefulness in the work which has been delegated to it.

(Signed) Ben S. Street,
W. B. O'Bannon,
J. C. Davis.

Mr. Klair moved that said report be received and filed.

Said motion was agreed to.

Mr. Klair, of the Committee on Rules, offered the following joint resolution, viz.:

H. Res. 35. Resolution to investigate the books and accounts of breweries relative to the ownership of stocks and bonds in relation to alien enemies residing in this State.

Said resolution reads as follows, viz.:

Whereas, it is alleged that German capital and German agents own and control the greater bulk of brewery products of the United States of America, and

Whereas large sums of German money are invested and the source of revenue therefrom greatly augments the enemy propaganda during this perilous conflict, and

Whereas the stainless American flag is being tried, which trial will determine whether this Union shall survive or perish and the nation permanently established as the leading nation of the earth or whether the achievements of our ancestors shall be subverted and whether or not we shall receive our orders from a murderous potentate and with humiliation, shame and disgrace, and

Whereas the German government has confiscated all tangible and intangible property of the American people in its territory and converted same into its war fund and with a positive declaration that said German government would not remunerate the Americans therefor; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the presiding officer of the Senate and House of Representatives respectively appoint two members of each house as a committee and the said presiding officers shall jointly select a fifth man as chairman of said committee to make all investigations it may deem proper. Said committee shall be clothed with power to summon witnesses and shall have access to all breweries, their books and accounts relating to the ownership, management or control of stock, bonds and relations to or with any and all alien enemies residing in this State, and whether they are residents or non-residents of this republic and they will report their findings to this General Assembly at their earliest possible convenience.

The expenses of said committee shall be paid as other committee expenses by the Auditor issuing warrant.

And resolved further, that in case the present General Assembly adjourn before said committee completes its investigation or investigations it shall make such report as it may deem proper and useful to the Governor of the Commonwealth of Kentucky.

Ordered, that said resolution lie on the Clerk's desk.

Mr. Klair, of the Committee on Rules, called from the hands of the chairmen of the committees to which the same had been referred the following bills, viz.:

By Mr. Hardin, of the Committee on Appropriations:

H. B. 24. An act relating to charitable institutions, and providing and appropriating an annual per capita for the pauper and part pay inmates of the Eastern, Western and Central State Hospitals, and for the Kentucky Institute for Feeble-Minded Children, and fixing the amount of per capita to be paid by inmates of said institutions who may be able to pay, and repealing laws in conflict.

With an amendment thereto.

By same:

S. B. 1. An act for the benefit of the Kentucky Illiteracy Commission, appropriating money thereto.

By Mr. Waggoner, of the Committee on Public Roads and Highways:

H. B. 345. An act repealing and re-enacting section 4325 Kentucky Statutes, edition of 1915, relating to roads—public.

By Mr. Claude M. Thomas, of the Committee on Agriculture:

H. B. 520. An act creating the Kentucky State Horticultural Society and to further foster the fruit interests of the State.

By Mr. O'Bannon, of the Committee on Constitutional Amendments:

H. B. 522. An act to amend section 186 of the Constitution.

By Mr. Laughlin, of the Committee on Public Utilities:

H. B. 439. An act to authorize the fiscal courts to fix and regulate ferry charges within their respective counties or making landing therein.

By Mr. Dill, of the Committee on Immigration and Labor:

H. B. 75. An act to prohibit the employment or enticing away of any person under a contract of employment with another, and providing punishment and damages therefor.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

A message was received from the Senate announcing that they had adopted resolutions originating in that body of the following titles, viz.:

S. Res. 17. Joint resolution allowing Nat. M. Elliott the sum of $50.00 for services rendered the Probe Committee.

S. Res. 22. Joint resolution directing the Commissioner of Agriculture to make an immediate investigation of the hemp market, and to report his findings to the Governor.

S. Res. 23. A resolution commending the Federal Fuel and the Federal Food Administrators for the State of Kentucky.

Ordered, that said resolutions be referred to the Committee on Rules.

A message was also received from the Senate announcing that they had passed a bill originating in that body of the following title, viz.:

S. B. 169. An act to repeal and re-enact section 12 of chapter 43, acts of the General Assembly of 1916, which act is entitled: An act to amend and re-enact chapter 142, of the acts of the General Assembly of the Commonwealth, approved March 19, 1912, entitled: An act to provide for the organization, armament, discipline and government of the militia, and in so doing to provide for the organization, armament, equipment, discipline and government of a State guard, and making an appropriation for same.

Mr. Klair moved that the rules be suspended and that said Senate Bill No. 169 be referred to the Committee on Rules instead of to the Committee on Appropriations.

Said motion was agreed to.

A message was also received from the Senate announcing that that body had refused to recede from the amendments proposed by it to a bill which originated in the House of Representatives of the following title, viz.:

H. B. 138. An act to abolish the assessor's office, and to provide in lieu thereof a County Tax Commission; prescribing the duties and qualifications of the County Tax Commission, and the duties of taxpayers in relation thereto.

Also, that the Senate had appointed a Conference Committee to meet with a like committee to be appointed by the House of Representatives to take up and consider said proposed amendments and that said committee from the Senate is composed of Senators Glenn, Taylor and Thompson.

Mr. Klair moved that the Speaker appoint a Conference Committee composed of three members of the House to act in conjunction with a like committee appointed by the Senate to consider said Senate amendments to House Bill No. 138.

Said motion was agreed to.

Thereupon the Speaker appointed as such Conference Committee Messrs. Bonta, Laughlin and Spurrier.

Mr. Klair, of the Committee on Rules, called up for consideration from the orders of the day House Bill No. 171.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 171. An act creating and relating to the office of county road engineer in counties containing more than 200,000 population and providing for his term of office, qualification, assistants and compensation, and repealing all laws in conflict herewith.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in all counties of this Commonwealth, containing a population of over two hundred thousand, a county road engineer shall be elected by the fiscal court (whether it be composed of the justices of the peace of said county and the county judge, or three commissioners and the county judge),

whose powers and duties shall be the same as the powers and duties of the county road engineers of other counties of this Commonwealth, as is provided in chapter 80 of the acts of 1914; provided, that no one shall be elected county road engineer as hereinbefore provided, unless he shall be a college graduate, holding an engineering degree, and have practiced his profession for at least four years in responsible charge of work, or if not a college graduate, shall have practiced his profession for at least ten years, six years of which he shall have been in responsible charge of work. And provided further, that he shall take and pass the examination required of county road engineers of the other counties of this Commonwealth, as provided in chapter 80, of the acts of 1914.

§ 2. Said county road engineer shall hold his office for a period of four years from the date of his election; provided, however, that the fiscal court is empowered to remove said engineer for inefficiency, incompetency, or for neglect of duty, after charges duly preferred and hearing given said engineer.

§ 3. Said county road engineer shall receive not less than $3,000.00 nor more than $4,000.00 per annum for his services, in the discretion of the body electing him.

§ 4. Said county road engineer shall be allowed assistants, inspectors, time keepers and all other necessary help for the performance of his duties, which assistants, inspectors, time keepers and all other necessary help, shall be appointed by the said county road engineer, with the advice and consent of the fiscal court; provided, that the total combined compensation of said county road engineer, his assistants, inspectors, time keepers and all other necessary help, shall not exceed in any one year an amount equal to eight per cent of the total expenditures for public work, under the supervision of said county road engineer, his assistants, inspectors, time keepers and all other necessary help, during said year.

§ 5. The salaries of said county road engineer, his assistants, inspectors, time keepers and all other necessary help, shall be fixed subject to the provisions of this act, and allowed and appropriated by the fiscal court of such counties, and paid out of the county levy, as other moneys are paid by the county.

§ 6. Chapter XI, of the acts of 1912, being section 4679b of Kentucky Statutes, Carroll's edition 1915, and section 82 of chapter 80, of the acts of 1914, being section 43561 of Kentucky Statutes, Carroll's edition 1915, and all laws, or parts of laws, in conflict with this act, are hereby repealed.

The Committee on Municipalities offered the following amendment to said bill, viz.:

Amend section three, line —, by striking therefrom $4,000.00 and inserting in lieu thereof "$5,000.00."

Also, by adding sections:

"This act shall not affect the present county surveyor, nor shall it affect the present existing contract between said county surveyor and said fiscal court."

Mr. McLellen offered the following amendment to the amendment proposed by said committee by way of substitute therefor, viz.:

Amend section three in line two by striking out the figures "$4,000.00" and inserting in lieu thereof the figures "$5,000.00."

Amend section four by striking out the following words of line five, viz.: "Provided, that the total combined compensation of said county," and by striking out all of lines 6, 7, 8, 9 and 10.

Said amendments proposed by Mr. McLellen by way of substitute for said committee amendment were adopted.

Said committee amendment as amended by way of substitute therefor was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	W. G. Dycus	M. E. Lee
Chas. Ashby	J. M. Elliston	J. E. Lilly
L. D. Baldauf	I H. Gabbard	Harry J. Meyers
A. L. Baldwin	M. E. Gilbert	Clarence Miller
Robert Bays	W. H. Hager	John T. Murphy
W. T. Beckham	J. S. Hall	Ryland C. Musick
B. C. Beckmann	L. B. Hamilton	A. J. McCandless
Leroy Bonta	E. C. Hardin	W. P. McDonogh
W. P. Bowman	B. H. Harris	H. C. McGehee
J. L. Bradford	David J. Howard	S. Lee McGohan
O. V. Brown	Joe Huddleston	H. C. McLellen
R. J. Cain	A. R. Hudson	W. B. O'Bannon
T. L. Caudel	Chas. L. Hunter	A. J. Oliver
H. C. Chappell	J. W. Johnson	T. P. Oliver
Everett Cobb	Leslie P. Jones	W. F. Paris
John Cook	W. H. Jones	Lilburn Phelps
A. S. Cooper	Griffin Kelly	Luther Pieratt
Fred Cornelius	W. F. Klair	Ote Piper
W. P. Cropper	H A. Knollmann	Richard Radcliffe
H. L. Dixon	Joseph Lazarus	Lewis Ryans

Avery Sartin	John W. Swope	J. Wood Vance
Joe Schneider	Claude M. Thomas	F. C. VanHoose
Claude B. Smith	John B. Thomas	G. C. Waggoner
R. T. Smith	J. T. Thornton	G. Frank Walthal
T. J. Smith	S. G. Thornberry	W. N. Winn
Ben Street	W. F. Trusty	E. G. Young

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Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 246. An act to repeal and re-enact section 12 of chapter 43, acts of the General Assembly of 1916, which act is entitled: An act to amend and re-enact chapter 142 of the acts of the General Assembly of the Commonwealth, approved March 19, 1912, entitled: An act to provide for the organization, armament, discipline and government of the militia, and in so doing to provide for the organization, armament, equipment, discipline and government of a State guard, and making an appropriation for same.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 12, Sub-section 1. That section 12 of chapter 43, of the acts of the General Assembly of the Commonwealth of Kentucky, approved March 23, 1916, entitled, "An act to amend and re-enact chapter 142 of the acts of the General Assembly of the Commonwealth of Kentucky, approved March

12th, 1912, entitled, 'An act to provide for the organization, armament, equipment, discipline and government of the militia,' " be and the same is repealed and re-enacted, and as re-enacted said section shall be and read as follows, to-wit:

Sub-section 2. State Guard to be Organized and Employed. The Governor is hereby authorized to organize, arm, equip, maintain, control, regulate and train a State Guard, in numbers not to exceed at any one time five hundred officers and men, said guard to be composed of volunteers from the reserve militia of the Commonwealth, and when organized to be known as the Kentucky State Guard, and to do service only within the confines of the Commonwealth of Kentucky.

Sub-section 3. In the organization, enlistment, equipment, armament, discipline, government, regulation, pay, service, trials, discharge and mustering out of said Kentucky State Guard, the provisions of this act, beginning with Section 1, and ending with Section 143, shall apply in every particular with the following exceptions, to-wit:

(a) The oath to be taken by each applicant shall be the same as set out in Section 35 hereof, except in preparing the blank form of oath it shall not contain the following words of said section, to-wit: "The President of the United States."

(b) Any person enlisted in the Kentucky State Guard, called, or volunteering into any branch of the National Army Service, shall upon notification to the Governor of his acceptance into said national service, be at once discharged by the Governor.

(c) Within one year after peace has been declared and ratified by the proper authorities of the United States, the Governor may in his discretion muster out the entire Kentucky State Guard, or any part thereof, and when the entire guard be mustered out the appropriation herein for State Guard purposes shall cease.

Sub-section 4. For the purposes of organizing, equipping, arming, maintaining and training the Kentucky State Guard, as is herein provided, there is hereby appropriated out of any

funds in the treasury, not otherwise appropriated, the sum of twenty thousand dollars, and an annual appropriation of fifteen thousand dollars, to be paid out and disbursed in the same manner and by the same authorities as is provided, however, that the annual appropriation herein shall be for three years from the date of the passage of this act, unless the proper authorities shall prior to the end of three years, muster out the entire State Guard, in which event the appropriation shall then cease to be available, and any unused part thereof shall revert to the general expenditure fund of the Commonwealth; and provided further that the Governor may in his discretion disburse any part of the appropriation provided in Section 53 hereof, for the equipment or maintenance of the Kentucky State Guard, in the same manner as is therein provided, specifically and generally, for the expenditure of the military fund, and as is herein provided for the appropriation herein made.

Sub-section 5. As there is now no guard in the Commonwealth available for emergency service within the Commonwealth, nor is there likelihood to be such guard during the period of the war, nor possibly long thereafter, an emergency is declared to exist and this act shall be and become effective upon its passage and approval.

Mr. Lee moved that said bill be recommitted to the Committee on Rules with leave to report at any time.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 197: An act to require the payment of all wages due to an employe who may be discharged.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any person, firm, or corporation, within this State, who shall discharge an employe, shall immediately pay to such employe whatever wages or remuneration that may be due; such discharged employe may present himself from day to day at the office or place of business of his employer and request payment of any wages or compensation that may be due and, when he does so request the payment, such employer shall be liable to him at the same rate that he would have received had he remained in the employe of such person, firm or corporation until all wages or remunerations are paid.

The Committee on Immigration and Labor offered the following amendment to said bill, viz:

Amend House Bill No. 197 by adding at the end thereof the following: "Provided, however, that the provisions of this act shall not apply with respect to an employee of a common carrier until five days have elapsed after the date of discharge."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Ed. L. Allen	L. D. Baldauf	B. C. Beckmann
Chas. Ashby	Robert Bays	H. V. Bell
B. S. Bailey	W. T. Beckham	Leroy Bonta

W. P. Bowman
J. L. Bradford
O. V. Brown
R. J. Cain
T. L. Caudel
H. C. Chappell
Everett Cobb
John Cook
A. S. Cooper
Fred Cornelius
W. P. Cropper
J. C. Davis
A. A. Demunbrun
Harry Dill
H. L. Dixon
W. G. Dycus
F. A. Easterling
J. M. Elliston
I H. Gabbard
Lark Garnett
M. E. Gilbert
W. H. Hager
A. L. Hamilton
L. B. Hamilton
E. C. Hardin
B. H. Harris
David J. Howard
Joe Huddleston
J. W. Johnson
Leslie P. Jones
W. H. Jones
Griffin Kelly
W. F. Klair
H. A. Knollmann
W. T. Lasley
Joseph Lazarus
M. E. Lee
J. E. Lilly
Harry J. Meyers
Clarence Miller
S. H. Moore
John T. Murphy
Ryland C. Musick
A. J. McCandless
W P. McDonogh
H. C. McGehee
S. Lee McGohan
W. B. O'Bannon
T. P. Oliver
W. F. Paris
Lilburn Phelps
Luther Pieratt
Ote Piper
Avery Sartin
Joe Schneider
Claude B. Smith
R. T. Smith
T. J. Smith
John W. Swope
Claude M. Thomas
Elmore Thomas
J. B. Thomas
Geo. F. Thompson
W. F. Trusty
J. Wood Vance
F. C. VanHoose
G. C. Waggoner
G. Frank Walthal
T. R. Welch
W. N. Winn
E. G. Young

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Those who voted in the negtative were—

Ben Street —1

Resolved that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 322. An act to amend Section 1820 of Kentucky Statutes, Carroll's Edition, providing for certain distances between ferries, establishment of same in towns, and penalty for violation of same, and re-enacting the same.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section eighteen hundred twenty of Kentucky Statutes (Carroll's Edition) entitled: "Distance between ferries, establishment of in towns—penalty", be amended by inserting in the second line thereof after the word "half" and before the word "nor" the words, "Nor on the Tennessee river where said river forms the boundary line between the State of Kentucky and Tennessee within less than two miles, so that when said section, when so amended, shall read as follows:

"No ferry shall be established on the Ohio river within less than a mile and a half, nor on the Tennessee river where said river forms the boundary line between the States of Kentucky and Tennessee, within less than two miles; nor upon any other stream, within less than a mile of the place, in a straight line, at which any existing ferry has been pre-established, unless it be in a town or city, or where an impassible stream intervenes.

1. No new ferry shall be so granted within a city or town unless those established therein can not properly do all the business, or unless public convenience greatly requires a new ferry at a site not within four hundred yards of that of any other.

2. No ferry-boat shall take in or land any passenger or thing within such prohibited distances of another ferry, under the penalty of fifteen dollars for every offense, to be recovered before a justice, against the owner or keeper, and by the owner of such other ferry."

Mr. Hudson moved that said bill be laid on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 384. An act to authorize the appointment of the Commanding Officer of Camp Zachary Taylor as one of three members of a General Zachary Taylor memorial commission who shall collect and expend the necessary funds to make the birth and burial place of General Zachary Taylor a lasting tribute to his memory.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby created a General Zachary Taylor Memorial Commission to serve without pay, and the Governor is authorized to appoint the commanding officer of Camp Zachary Taylor and two citizens of Kentucky members of this board, who are hereby authorized to provide for the collection and expenditure of all necessary funds to purchase in the name of the General Zachary Taylor Memorial, the birth and burial place of General Taylor in Jefferson County, Kentucky, and to supervise and make all necessary alterations or transfers of said grounds to make this a lasting tribute to his memory.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Ed. L. Allen
B. S. Bailey
L. D. Baldauf
J. H. Ballard
A. L. Baldwin
Robert Bays
B. C. Beckmann
H. V. Bell
Leroy Bonta
W. P. Bowman
J. L. Bradford
O. V. Brown
R. J. Cain
T. L. Caudel
H. C. Chappell
Everett Cobb
John Cook
A. S. Cooper
Fred Cornelius
W. P. Cropper
James S. Cruse
J. C. Davis
Harry Dill
H. L. Dixon
W. G. Dycus
F. A. Easterling
J. M. Elliston
I. H. Gabbard
Lark Garnett
M. E. Gilbert
L. B. Hamilton
E. C. Hardin
B. H. Harris
David J. Howard
Joe Huddleston
A. R. Hudson
Chas. L. Hunter
J. W. Johnson
Leslie P. Jones
W. H. Jones
Griffin Kelly
W. F. Klair
H. A. Knollmann
S. D. Laughlin
Joseph Lazarus
M. E. Lee
J. E. Lilly
Clarence Miller
S. H. Moore
John T. Murphy
A. J. McCandless
W. P. McDonogh
H. C. McGehee
S. Lee McGohan
H. C. McLellen
A. J. Oliver
T. P. Oliver
W. F. Paris
Lilburn Phelps
Luther Pieratt
Ote Piper
Richard Radcliffe
H. C. Rice
Lewis Ryans
Avery Sartin
Joe Schneider
Claude B. Smith
R. T. Smith
T. J. Smith
Thomas Spurrier
Ben Street
John W. Swope
Claude M. Thomas
John B. Thomas
S. G. Thornberry
W. F. Trusty
F. C. VanHoose
G. Frank Walthal
W. N. Winn
E. G. Young
—80

Resolved that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 243. An act relating to the office of Police Judge in cities of the second class in this Commonwealth.

Said bill reads as follows, viz.;

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. When from any cause the police judge of a city of the second class shall fail to attend and hold court, the mayor of the city shall designate some attorney, who has no case on the docket of said court, to act as judge *pro tem.*, and such judge so designated shall exercise the same rights, powers and duties, and shall receive the same pro rata compensation, as provided by law or ordinance as to the regular judge. The regular judge of said police court shall be entitled to a vacation of one month in each year, and during said vacation the compensation of the *pro tem.* judge, designated as above provided, shall not be deducted from the salary of the regular judge. The *pro tem.* judge herein provided for shall be paid in the same manner and at the same rate per diem as is provided for the regular judge.

§ 2. All laws or parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	Lark Garnett	W. P. McDonogh
Chas. Ashby	M. E. Gilbert	H. C. McGehee
B. S. Bailey	W. H. Hager	S. Lee McGohan
L. D. Baldauf	J. S. Hall	H. C. McLellen
A. L. Baldwin	A. L. Hamilton	W. B. O'Bannon
W. T. Beckham	B. H. Harris	A. J. Oliver
B. C. Beckmann	David J. Howard	W. F. Paris
H. V. Bell	Joe Huddleston	Lilburn Phelps
J. L. Bradford	A. R. Hudson	Luther Pieratt
O. V. Brown	Chas. L. Hunter	Avery Sartin
R. J. Cain	J. W. Johnson	Joe Schneider
T. L. Caudel	W. H. Jones	Claude B. Smith
H. C. Chappell	Griffin Kelly	R. T. Smith
Everett Cobb	W. F. Klair	T. J. Smith
John Cook	H. A. Knollmann	Ben Street
A. S. Cooper	W. T. Lasley	John W. Swope
Fred Cornelius	S. D. Laughlin	Claude M. Thomas
W. P. Cropper	Joseph Lazarus	Elmore Thomas
James S. Cruse	M. E. Lee	John B. Thomas
J. C. Davis	J. E. Lilly	J. T Thornton
A. A. Demunbrun	Harry J. Meyers	W. F. Trusty
Harry Dill	Clarence Miller	J. Wood Vance
H. L. Dixon	S. H. Moore	F. C. VanHoose
W. G. Dyens	John T. Murphy	G. Frank Walthal
F. A. Easterling	Ryland C. Musick	E. G. Young
I. H. Gabbard	A. J. McCandless	—77

Resolved that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 505. An act for the protection of the health and comfort of ladies, by prohibiting smoking in certain dining rooms.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Smoking in the dining room of any hotel or restaurant in which ladies are received and entertained as guests is hereby declared unlawful, and any person, firm or corporation operating or conducting such hotel or restaurant in which smoking in violation of this act occurs shall be guity of a misdemeanor, and upon conviction thereof shall be fined not less than ten dollars nor more than one hundred dollars, or imprisoned in the county jail not more than ninety days.

Each single act in violation of this enactment shall be regarded as a separate offense and punishable accordingly.

The county attorney of each county in this state is authorized and required to prosecute to termination before any court of competent jurisdiction, in the name of the Commonwealth of Kentucky, a proper action or proceeding against any person or persons violating the provisions of this act.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	B. S. Bailey	W. T. Beckham
Chas. Ashby	L. D. Baldauf	B. C. Beckmann

H. V. Bell	J. S. Hall	W. F. Paris
Leroy Bonta	L. B. Hamilton	Lilburn Phelps
W. P. Bowman	E. C. Hardin	Luther Pieratt
J. L. Bradford	B. H. Harris	Ote Piper
O. V. Brown	David J. Howard	Avery Sartin
R. J. Cain	Joe Huddleston	Claude B. Smith
T. L. Caudel	A. R. Hudson	R. T. Smith
Everett Cobb	Chas. L. Hunter	T. J. Smith
John Cook	Leslie P. Jones	John W. Swope
Fred Cornelius	W. H. Jones	Claude M. Thomas
W. P. Cropper	Griffin Kelly	Elmore Thomas
James S. Cruse	H. A. Knollmann	John B. Thomas
J. C. Davis	M. E. Lee	S. G. Thornberry
A. A. Demunbrun	J. E. Lilly	J. Wood Vance
Harry Dill	Clarence Miller	F. C. VanHoose
H. L. Dixon	S. H. Moore	G. C. Waggoner
W. G. Dycus	John T. Murphy	G. Frank Walthal
F. A. Easterling	A. J. McCandless	T. R. Welch
J. M. Elliston	W. P. McDonogh	W. N. Winn
I. H. Gabbard	H. C. McLellen	E. G. Young
Lark Garnett	W. B. O'Bannon	
M. E. Gilbert	T. P. Oliver	—70

Those who voted in the negative were—

H. C. Chappell	J. W. Johnson	H. C. McGehee
A. S. Cooper	W. F. Klair	S. Lee McGohan
W. H. Hager	W. T. Lasley	Joe Schneider
A. L. Hamilton	Harry J. Meyers	Ben Street

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Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 240. An act to amend and re-enact section 1267 of Kentucky Statutes relating to offenses against public peace.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section one thousand two hundred and sixty-seven of the Kentucky Statutes, Carroll's edition of nineteen hundred fifteen, be and the same is hereby amended by striking out the words "not less than twenty nor more than fifty dollars," and adding in lieu thereof the words "not less than fifty dollars nor more than one hundred dollars;" and by striking out the words "not more than twenty days" and adding in lieu thereof the words "not less than one month nor more than three months," so that said section when amended and re-enacted will read as follows:

Section 1267. Disturbing Religious Worship, School or Lawful Assemblage.—If any person shall wilfully interrupt or disturb a congregation assembled for or engaged in worshipping God, or shall wilfully interrupt or disturb any school, seminary or college, while the students of the same are engaged in their studies, or undergoing a public examination, or any assemblage of people met for and engaged in a lawful purpose, he shall be fined not less than fifty dollars nor more than one hundred dollars, or imprisoned in the county jail not less than one month nor more than three months, or both, in the discretion of the jury.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	M. E. Gilbert	W. B. O'Bannon
Chas. Ashby	W. H. Hager	T. F. Oliver
L. D. Baldauf	J. S. Hall	W. F. Paris
W. T. Beckham	A. L. Hamilton	Lilburn Phelps
B. C. Beckmann	L. B. Hamilton	Luther Pieratt
H. V. Bell	E. C. Hardin	Richard Radcliffe
Leroy Bonta	B. H. Harris	Lewis Ryans
W. P. Bowman	D. J. Howard	Avery Sartin
J. L. Bradford	Joe Huddleston	Joe Schneider
O. V. Brown	A. R. Hudson	Claude B. Smith
R. J. Cain	J. W. Johnson	R. T. Smith
T. L. Caudel	Leslie P. Jones	T. J. Smith
H. C. Chappell	W. H. Jones	Ben Street
Everett Cobb	W. F. Klair	John W. Swope
John Cook	H. A. Knollmann	Elmore Thomas
A. S. Cooper	Joseph Lazarus	John B. Thomas
W. P. Cropper	Harry J. Meyers	Geo. F. Thompson
J. C. Davis	Clarence Miller	S. G. Thornberry
A. A. Demunbrun	S. H. Moore	J. Wood Vance
H. L. Dixon	John T. Murphy	F. C. VanHoose
W. G. Dyess	Ryland C. Musick	G. C. Waggoner
E. A. Easterling	A. J. McCandless	G. Frank Walthal
J. M. Elliston	W. P. McDonogh	T. R. Welch
J. H. Gebhard	H. C. McGehee	W. N. Winn
Lark Garnett	S. Lee McGohan	E. G. Young

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There voted in the negative—

B. S. Bailey —1

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 420. An act relating to assessment or co-operative life and accident insurance companies, amending section 681, Kentucky Statutes, 1915 edition, providing license for agents of foreign companies doing business in this State.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 681, Kentucky Statutes, 1915 edition, relating to license to agents of foreign assessment or co-operative life and accident insurance companies, be and the same is hereby amended by adding after the word "year" in said section the following:

"Provided that any such agent having paid the license tax herein required shall not thereafter be required to pay any other state, county or municipal tax."

And that same as amended be, and the same is now, re-enacted to read as follows:

"After authorizing such corporation or association to do business in this state, the commissioner shall issue licenses to agents thereof, to be designated by the corporation or association, or a general agent thereof, authorizing them to act as such agents for the term of one year. Provided, that any such agent having paid the license tax herein required shall

not thereafter be required to pay any other State, county or municipal license tax."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen
Chas. Ashby
B. S. Bailey
A. L. Baldwin
W. T. Beckham
B. C. Beckmann
H. V. Bell
Leroy Bonta
W. P. Bowman
R. J. Cain
Everett Cobb
John Cook
W. P. Cropper
J. C. Davis
A. A. Demunbrun
W. G. Dycus
I. H. Gabbard
Lark Garnett
M. E. Gilbert
J. S. Hall
A. L. Hamilton
L. B. Hamilton
E. C. Hardin
B. H. Harris
David J. Howard
Joe Huddleston
J. W. Johnson
Leslie P. Jones
W. H. Jones
W. F. Klair
H. A. Knollmann
S. D. Laughlin
M. E. Lee
J. E. Lilly
Harry J. Meyers
Clarence Miller
John T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
H. C. McGehee
S. Lee McGehan
W. B. O'Bannon
T. P. Oliver
W. F. Paris
Lilburn Phelps
Luther Pieratt
Ote Piper
Richard Radcliffe
Avery Sartin
Joe Schneider
Claude B. Smith
R. T. Smith
Ben Street
John W. Swope
Claude M. Thomas
Elmore Thomas
John B. Thomas
Geo. F. Thompson
S. G. Thornberry
J. Wood Vance
F. C. VanHoose
G. Frank Walthal
T. R. Welch
E. G. Young
—65

Those who voted in the negative were—

W. H. Hager Griffin Kelly S. H. Moore
A. R. Hudson —4

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

And then the House, at twelve o'clock noon, recessed until two o'clock p. m.

AFTERNOON SESSION

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen	John Cook	David J. Howard
Chas. Ashby	A. S. Cooper	Joe Huddleston
B. S. Bailey	Fred Cornelius	A. R. Hudson
L. D. Baldauf	W. P. Cropper	Chas. L. Hunter
J. H. Ballard	James S. Cruse	J. W. Johnson
A. L. Baldwin	J. C. Davis	Leslie P. Jones
Robert Bays	A. A. Demumbrun	W. H. Jones
W. T. Beckham	H. L. Dixon	Griffin Kelly
B. C. Beckmann	W. G. Dycus	W. F. Klair
H. V. Bell	J. M. Elliston	H. A. Knollmann
Leroy Bonta	I. H. Gabbard	S. D. Laughlin
W. P. Bowman	Lark Garnett	M. E. Lee
J. L. Bradford	M. E. Gilbert	J. E. Lilly
C. V. Brown	W. H. Hager	Clarence Miller
R. J. Cain	J. S. Hall	S. H. Moore
T. L. Caudel	L. B. Hamilton	John T. Murphy
H. C. Chappell	E. C. Hardin	Ryland C. Musick
Everett Cobb	B. H. Harris	A. J. McCandless

W. P. McDonogh	H. C. Rice	Elmore Thomas
H. C. McGehee	Lewis Ryans	John B. Thomas
S. Lee McGohan	Avery Sartin	Geo. F. Thompson
H. C. McLellen	Joe Schneider	J. T. Thornton
W. B. O'Bannon	Claude B. Smith	S. G. Thornberry
T. P. Oliver	K. T. Smith	J. Wood Vance
W. F. Paris	T. J. Smith	F. C. VanHoose
Lilburn Phelps	Thomas Spurrier	G. Frank Walthal
Luther Pieratt	Ben Street	T. R. Welch
Ote Piper	John W. Swope	W. N. Winn
Richard Radcliffe	Claude M. Thomas	E. G. Young

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A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, viz.:

S. B. 79. An act relating to charitable institutions, and providing and appropriating an annual per capita for the pauper and part pay inmates of the Eastern, Western and Central State Hospitals, and for the Kentucky Institute for Feeble-Minded Children, and fixing the amount of per capita to be paid by inmates of said institutions who may be able to pay, and repealing laws in conflict.

To the Committee on Rules.

S. B. 298. An act for the benefit of the House of Reform for Girls, making an appropriation for the purpose of providing suitable buildings and equipment for said institution.

To the Committee on Rules.

A message was also received from the Senate announcing that that body had refused to concur in amendments proposed by the House of Representatives to Senate bill entitled:

S. B. 137. An act to repeal sections 15, 16 and 104 of chapter 24, acts of the General Assembly of 1916, approved

March 18, 1916, relating to the distribution of the State school funds and county school funds, length of school terms and payment of teachers' salaries, and substituting new sections therefor, providing for the distribution of said funds, for the length of school terms, for the time and manner of paying teachers' salaries and for an increase of such salaries.

Mr. Rice moved that the House do now refuse to recede from said House amendments to Senate Bill No. 137.

Said motion was agreed to.

Mr. Klair, of the Committee on Rules, to which committee the same had been referred reported bills of the following titles, viz.:

S. B. 21. An act relating to charitable institutions, and to appropriate money to the Eastern State Hospital, the Western State Hospital, the Central State Hospital, and the Kentucky Institute for Feeble-Minded Children, to pay existing indebtedness of and deficits in accounts of aforenamed charitable institutions and to provide for certain improvements at the Western State Hospital and the Eastern State Hospital.

S. B. 83. An act for the benefit of the Kentucky Normal and Industrial Institute for Colored Persons.

S. B. 96. An act relating to agriculture, labor and statistics, and appropriating money to provide for the continuance of extension work in the State of Kentucky by the Agricultural College of the University of Kentucky, under the provisions of an act of Congress of the United States, approved May 8, 1914, entitled: An act to provide for co-operative extension work between the agricultural colleges in the several states receiving the benefits of an act of Congress,

approved July 2, 1862, and an act supplementary thereto, and the United States Department of Agriculture, and repealing section 5 of chapter 20 acts of 1916.

S. B. 152. An act to appropriate money to be expended by the Board of Prison Commissioners for improvements in the cell houses at the State penitentiary, Eddyville, Ky.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

Mr. Klair, of the Committee on Rules, called up for consideration the report of the Contest Committee in the contest of A. F. Hanberry, contestant, against G. Frank Walthal, contestee.

Thereupon Mr. Welch, chairman of said contest committee, offered the following report in writing, viz.:

KENTUCKY HOUSE OF REPRESENTATIVES.

A. F. Hanberry, ... *Contestant*

vs.

G. Frank Walthal . . . . . *Contestee*

REPORT OF CONTEST COMMITTEE.

The undersigned members of the Contest Committee in the above styled contest respectfully report to the House that the contestant, A. F. Hanberry, and the defendant, G. Frank Walthal, were candidates for the office of Representative at the November election, 1917, in Trigg county, the contestant being the candidate of the Republican party, and the contestee being the candidate of the Democratic party.

The election resulted in a majority of thirteen for contestee, and he was awarded the certificate of election by the Board of Election Commissioners of Trigg county. Within the time prescribed by law the contestant served on the con-

testee notice and grounds of contest. After setting out his own legal qualifications to hold the office of Representative and a compliance with the Corrupt Practices Act, the contestant alleges that he received 1325 legal votes in Trigg county and the contestee only received 1256 legal votes. He charges fraud and mistake on the part of the election officers in counting the votes in Bethesda, Cerulean Springs voting precinct, Montgomery voting precinct, Maggie voting precinct, Linton voting precinct, Kenton voting precinct, West Cadiz voting precinct, Ferguson voting precinct, South Cadiz voting precinct, North Cadiz voting precinct. He also alleges as a ground for contest that the contestee was, on the 30th day of May, 1916, appointed a member of the Board of Road Commissioners of Trigg county, and that contestee did not file his resignation as Road Commissioner in the county court clerk's office fifteen days before the 6th day of November. He also alleges as additional ground of contest that the contestee did not file his certificate of nomination in the clerk's office of Trigg county fifteen days prior to the November election. He asks a recount of the ballots of the precincts in which he alleged fraud. These precincts have been heretofore pointed out. We will take up the grounds of contest in the order named. There was no proof introduced by the contestee showing that any fraud was committed in any of the precincts set out in the notice of contest.

Much proof is introduced as to the vote of Herman Roach, a voter that voted in the North Cadiz precinct. It is not contended that this voter was not a legally qualified voter in that precinct, but it is shown by the record that this voter was practically blind. All of the election officers so stated in their deposition. The clerk of the election stamped Roach's ballot without him being sworn, and this is the ground on which the contestant bases his cause of action, that this vote should not have been counted for the contestee. We do not find it necessary to decide as to whether or not this vote was legal, because even if it was illegally cast it cannot and does

not affect the result as it would still leave the contestee a majority of twelve votes.

The allegations of fraud in the other precincts are absolutely unsupported by proof. The contestant failed to produce any proof before the committee that there were any irregularities elsewhere in the county other than the vote of Roach.

The contestant made a motion before this committee to have the ballot boxes brought to Frankfort and a recount of the votes to be made by the committee, but as there was no testimony taken showing that there was anything illegal or improper in the conduct of the election in the precinct in which the recount was requested, and further as there was no proof introduced to show that the ballot boxes had been carefully preserved since the election, we have concluded that the contestant is not entitled to have a recount of the ballots before this committee.

The second ground of contest relied on, is because contestee did not file his resignation with the county court clerk as Road Commissioner of Trigg county on or before the 6th day of November, 1917. This ground must fail. The records of the fiscal court of Trigg county show that the contestee resigned as Road Commissioner on the 3rd day of April, 1917. This resignation was accepted by the fiscal court and was on file in the county court clerk's office, the clerk being the custodian of the records of the fiscal court, but conceding that this was not sufficient compliance with section 3745 of the Kentucky Statutes, which provides:

"A person holding an office, post or employment under this state or the United States, which is incompatible with a seat in the Legislature, shall not be voted for as Senator or Representative until he has resigned his office, post or employment nor until a duplicate of his resignation has been filed in the clerk's office of the court of the county in which he resides; and all votes given for him before such resignation is so filed shall be void."

It has no application to the question involved in this contest. The section of the statute, *supra,* has no application until a person becomes a candidate for the office which he seeks. Section 4456 of Carroll's Statutes provides that a person becomes a candidate in an election by filing with the county clerk his certificate of nomination, which cannot be filed with the county clerk more than sixty days nor less than fifteen days before the election. The record in this case shows that Walthal resigned on the 3rd day of April, 1917, which was more than sixty days before the November election, and at the time he became a candidate he was not holding any office. Of course, having resigned before this time the office of Road Commissioner, he was not required to file his written resignation in the county clerk's office.

The last ground of contest alleged is that he did not file his certificate of nomination with the county clerk. The deposition of W. L. Davis, the county clerk, shows that Walthal's certificate of nomination was filed in the county clerk's office more than fifteen days before the November election. The testimony of the county clerk is in no may contradicted. The record therefore shows that the certificate was properly filed and the contestant has failed to establish the allegations of his notice of contest in this respect.

We therefore conclude that the contestant must fail in this action, and the contestee, G. Frank Walthal, was duly elected Representative for Trigg county. The concurrence of this honorable body is requested in this report.

Respectfully submitted,

T. R. Welch, *Chairman*
S. Lee McGohan,
W. B. O'Bannon,
B. S. Street,
T. P. Oliver,
W. F. Klair,
Lewis Ryans,
J. S. Cruse,
A. J. McCandless

Mr. Klair moved that said report be adopted.

Said motion was agreed to.

Mr. Klair, of the Committee on Rules, called up for consideration the report of the Contest Committee in the contest of S. F. Day, contestant, against Edward L. Allen, contestee.

Thereupon Mr. Welch, chairman of said committee, offered the following report in writing, viz.:

KENTUCKY HOUSE OF REPRESENTATIVES.

S. F. Day, ... , *Contestant*

vs.

Edward L. Allen . . . . . *Contestee.*

REPORT OF CONTEST COMMITTEE.

The undersigned members of the Contest Committee in the above styled contest respectfully report to the House, that the contestant, S. F. Day, and contestee, Edward L. Allen, were candidates for the office of Representative in the 97th Legislative District, composed of the counties of Floyd, Knott and Letcher, at the November election, 1917, the contestant being the candidate of the Democratic party, and the contestee being the candidate of the Republican party.

In the election the contestant received 3848 votes, and the contestee 4298 votes, a majority of 450. The canvass of the return was properly certified to the State Board of Election Commissioners, and a certificate of election was issued to the contestee, and on the convening of this House he qualified as a member thereof, and has since said time been filling said office.

Within the time prescribed by law the contestant, S. F. Day, served on the contestee notice of contest. After setting out his own legal qualifications he attacks the validity of the election of the contestee on several grounds. The greater

part of his notice of contest is directed to certain irregularities that occurred in Martin precinct, being precinct No. 15, in Floyd county, Kentucky. This precinct was the home precinct of the contestee, the contestee receiving in this precinct 419 votes and the contestant receiving 27 votes. His allegation of contest in relation to this precinct is, "that contestee wilfully, maliciously and with fraudulent intent and design of depriving contestant of a great number of votes cast for him in said precinct falsified the returns of the election from said precinct and a recount would show that he received a majority of at least 100 votes in Martin precinct." It is further alleged that this is a strong Democratic precinct and there were only cast in that precinct 310 votes. He further charges that contestee entered into collusion with other candidates on the day of election and fraudulently and corruptly collected money on the election grounds and gathered same into a jack-pot for the purpose of bribing and influencing voters in that precinct. He states that at least 50 persons were bribed to vote for contestee.

He further alleges that there was a conspiracy between the election officers and contestee to steal the election in that precinct. To carry out this conspiracy, that one Tom Lohorn, a citizen of Floyd county, together with others, were wilfully and illegally permitted to accompany voters to the room in which the election was being held, and to enter the booth with them, the voters so entering having slips of paper on which the sample ballot was printed, and Allen's name being marked thereon with a cross mark.

He further alleges that the election officers, in order to consumate the conspiracy entered into with the contestee, wilfully took the ballot box from the polling place and removed it at least half a mile in a room in the Bowling Hotel, at Lacky, Ky., and there pretended to count the vote and corruptly certify to illegal and improper returns.

Contestant also alleges that more than 50 persons in this precinct were permitted to vote more than once.

It is further alleged that in various other precincts of Floyd county, at said election, that illegal votes were counted and certified for contestee, and at least 500 persons were permitted to vote in the county openly without being sworn as to their inability to read or write, and further that at least 250 persons who were non-residents of Floyd county cast their votes for contestee.

The same allegations with reference to illegal votes are made as to Letcher county, another county in the district.

The notice of contest undoubtedly states a cause of action. The notice of contest was served on contestee on the 26th day of November, 1917, and shortly thereafter contestant began taking proof. Soon after this committee was organized the contestant requested the committee to appoint a special commissioner to go to this district and take proof in his behalf, it being alleged that he was unable to procure any person in any of the counties in question to take proof for him. This was denied by contestee, and the committee, after hearing, concluded that the contestant had had sufficient time to take proof to substantiate the grounds of contest set out in his notice, and overruled contestant's motion.

The proof introduced wholly fails to substantiate the allegations of corrupt practices, conspiracy or illegal conduct on the part of the contestee and the election officers. The proof as introduced is directed entirely as to what transpired in Martin's precinct. There is considerable proof that some voters voted twice and parties other than voters were permitted to go to the booth, but there is no proof as to who the repeaters voted for, or to whose election the parties that went into the booth were interested. There is nothing in the record to show that the contestee was the beneficiary of any of the repeaters' votes, or that he was at all interested in the conduct of persons about the polls.

It is shown without contradiction that the election officers, after the polls were closed, took the ballot box from the voting place to a room in the Bowling Hotel, at Lacky, Ky., a short distance from the place where the voting was had. It was shown also that it was dark in the room where the election was held, and it was impossible to count the votes at that place, because they had no light there. There is nothing in the record to show that the votes were incorrectly counted, or that any candidate lost any votes. We think the rule laid down by the Court of Appeals, in the case of Craig v. Spitzer, 140 Ky. 456, fits the case under consideration.

In the Spitzer case election officers, after the election, removed the ballot box from the voting room to a residence of a man named Lipford, and in the residence they opened the ballot box and counted the vote and permitted to come into the room where the votes were being counted persons other than election officers. This was made ground of contest. The court decided that it was not ground for contest and said:

"It is not averred that the vote was not properly counted; no fraud or intentional misconduct on the part of the officers is alleged, and so we have the naked question whether their leaving the room and going one hundred feet away to another house should be held sufficient to throw out the vote of an entire precinct at an election admitted to have been fairly held, where the votes were fairly counted. It is the duty of the election officers to comply with the statute, and count the votes in the voting room without adjournment or separation. Where the officers fail in doing their duty under the act they may be punished. Ky. St., 1577. But whether the vote should be thrown out because the officers instead of counting the vote in the voting room, went a hundred feet away and counted it at another house, when this was done innocently, and had no effect on the result, is a very different question. If the house in which the vote was taken should burn with fire, the officers would not be expected to remain

there during the fire. And so cases have arisen where officers have left the voting room because they were attacked by a mob, and were thus prevented from discharging their duties. The officers should comply with the statute unless compelled to go to another place by some overruling necessity beyond their control; but the general rule is that a failure on the part of the election officers to perform their duties according to the statute, will not be allowed to disfranchise the voters, unless such failure has prevented a fair election or in some way affected the result. (McCreary on Elections, section 724.) Thus in Bailey v. Hurst, 113 Ky. 699, it was held that the vote of a precinct should not be thrown out because the ballot box was opened during the day to get out the clerk's pen, which had accidentally fallen into it, when the officers had no other pen, and could not otherwise go on with the election. In Hardin v. Cress, 113 Ky. 734, the election officers instead of preserving the ballots after they counted them, burned them contrary to the statute; but it appearing that there was no fraud, and only an honest mistake had been made by the officers, which did not affect the result, it was held that the precinct could not be for this reason thrown out. In Pace v. Reed, 128 S. W. 891, the crowd was not required to stand back fifty feet, the election was held in an old log house, in which there were a number of openings through which outsiders could peep in; the booths had no curtain over the entrance; one of the doors had a hole in it which was covered by an old coffee sack, and during the day the sack was pushed aside and persons would look in, but could not see how any one voted. The election was fairly conducted, and it was held that for these matters the voters of the precinct should not be deprived of their suffrage. In that case, also, the officers burned the ballots after the count was completed. We do not see that this case can be distinguished from those cited. The irregularities here are the same in kind as those that occurred there, and the principle applied there must control, that the

voters in a fair election properly held should not be disfranchised by the mere errors of the election officers which do not affect in any way the result."

In any event conceding that the election in Martin's precinct, Floyd county, was so irregular that it should be thrown out and considered in the election for Representative in the district, it does not affect the contestee, because he received a majority of 450 votes, and in Martin precinct Allen received 419 votes and Day 27 votes, making a total of 446 votes. With this precinct eliminated it would still leave a majority of 4 votes for the contestee.

There is no proof in the record as to any irregularities or illegal votes being cast in any other place in the district other than Martin precinct.

We therefore conclude that the contestee, Edward L. Allen, was legally elected in the 97th Legislative District, and report that this contest be adjudged in favor of the contestee. All of which is respectfully reported, and the concurrence of this honorable body is asked.

Respectfully submitted,

T. R. Welch, Chairman,
W. B. O'Bannon,
S. Lee McGohan,
B. S. Street,
T. P. Oliver,
W. F. Klair,
Lewis Ryans,
J. S. Cruse,
A. J. McCandless.

Mr. Klair moved that said report be adopted.

Said motion was agreed to.

Mr. Klair, of the Committee on Rules, called up for consideration from the Clerk's desk a resolution of the following title, viz.:

H. Res. 27. Resolution providing for the appointment of an industrial commission for this state and prescribing its powers and duties.

Said resolution reads as follows, viz.:

Be it resolved by the Senate and House of Representatives of the Commonwealth of Kentucky:

1. There is hereby created for this Commonwealth an Industrial Commission of not less than five nor more than nine members to be appointed by the Governor, Lieutenant Governor and the Speaker of the House of Representatives, acting jointly. At least one member shall be a representative of organized labor; one shall be selected for his fitness to represent the agricultural interests of the state, and one shall be conversant with the mineral resources and development of the state. One member shall be appointed from each of the two Houses of the present General Assembly. If more than five are appointed, the appointing power before named shall choose such other men of ability and experience as shall seem best fitted to perform the duties herein set out.

2. Said Industrial Commission shall be appointed at a meeting of the Governor, Lieutenant Governor and the Speaker of the House at a meting held by them for that purpose not more than sixty (60) days after the adjournment of this session of the Legislature. In the event of a failure of all to agree, a majority of said officials may select any member or members of the commission.

3. Duties.—Within sixty (60) days after the appointment of said commission the members thereof shall meet at the seat of government or other convenient place designated by the Governor, of which the members shall have due notice, for the purpose of organizing and adopting a plan for carrying out the purposes of this resolution. The members shall elect one of their number chairman and another secretary.

It shall be the duty of the Industrial Commission to inquire into the following subjects, viz.:

Industrial conditions generally, wages, hours and conditions of labor, enforcement of labor laws, the advisability of amending such laws, particularly with reference to number of hours of labor per day and per week, the effect of present labor conditions on the health and morals of women and children in gainful employment; relations of employers and employes.

Said commission shall hear and consider suggestions for the improvement of the conditions of labor and industry; the advisability or inadvisability of lessening the number of hours of labor per day or per week and such other matters affecting labor, industry, commerce, agriculture, mining and general development and welfare of the state, as the commission shall deem most important.

Said commision shall hold not less than three public meetings at widely separated points in the state for the purpose of hearing and conferring with the representatives of labor, commerce, mining, agriculture and other important interests.

Advance notice of such meetings shall be given to the daily and weekly press with a request for free publication.

Said meetings shall be held if possible in some convenient public hall or auditorium in the town or city where the commission meets. The public and the representatives of the interests herein before named shall be invited to attend and to discuss with the commission the matters herein stated.

The commision shall adopt such rules of procedure as will best promote order and expedition in the hearings.

For the purpose of securing information as to wages, hours of labor, and industrial conditions generally as herein contemplated, the commission will call upon the Commissioner of Agriculture, Labor and Statistics of the state and other state officials for such useful information as may be in their possession.

It shall be the duty of the commission as far as possible not only to study the laws of this state, but of other states in so far as said laws may affect labor and industry and the general welfare of this Commonwealth.

4. Various Interests May Submit Data.—In addition to the conferences herein provided for, it shall be the duty of the commission to receive and consider any written or printed briefs or documents submitted by any of the interests herein mentioned. Such briefs and documents must be prepared and presented without expense to the state. If marked "to accompany report of Industrial Commission," such briefs and documents shall be filed by the commission with its report at the time provided for in the next section.

5. The commission shall in as brief and concise form as possible report in writing its conclusions as to the matters investigated by it. It shall briefly state its reasons for such conclusions. It shall make recommendations as to any changes in the labor laws that it may deem advisable. Such report shall be filed with the Governor of the state at least thirty (30) days before the convening of the next regular session of the General Assembly and shall by the Governor be transmitted, together with any briefs or documents that may accompany it, to the General Assembly at the session of 1920 or about the time of the convening of said session.

6. Expenses.—The members of this commission shall receive no salary. Their necesary expenses incurred in the performance of their duties shall be paid out of the state treasury by the itemized statements, as expenses of other officials are paid, but in no event shall the total expenses amount to more than $1,500.00.

The yeas and nays being taken on the adoption of said resolution in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	J. M. Elliston	Luther Pieratt
Chas. Ashby	M. E. Gilbert	Ote Piper
B. S. Bailey	L. B. Hamilton	Richard Radcliffe
L. D. Baldauf	E. C. Hardin	Lewis Ryans
J. H. Ballard	B. H. Harris	Joe Schneider
W. T. Beckham	D. J. Howard	Claude B. Smith
E. C. Beckmann	Joe Huddleston	R. T. Smith
H. V. Bell	A. R. Hudson	T. J. Smith
Leroy Bonta	J. W. Johnson	Ben Street
W. P. Bowman	W. F. Klair	John W. Swope
J. L. Bradford	J. E. Lilly	Claude M. Thomas
O. V. Brown	Harry J. Meyers	Elmore Thomas
T. L. Caudel	Clarence Miller	Geo. F. Thompson
Everett Cobb	Ryland C. Musick	G. C. Waggoner
John Cook	A. J. McCandless	G. Frank Walthal
A. S. Cooper	W. P. McDonogh	T. R. Welch
W. P. Cropper	S. Lee McGohan	E. G. Young
H. L. Dixon	W. R. O'Bannon	
W. G. Dycus	W. F. Paris	—55

Those who voted in the negative were—

R. J. Cain	S. D. Laughlin	Avery Sartin
H. A. Knollmann	John T. Murphy	F. C. VanHoose

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The House took up for consideration from the orders of the day a bill entitled:

H. B. 256. An act to repeal and re-enact subsections 1, 3, 4, 8, 12, 14 and 26 of section 4421-A of the Kentucky Statutes, Carroll's edition of 1915, and to repeal and re-enact section 4421-B of Kentucky Statutes, Carroll's edition of 1915, and to repeal and re-enact section 1 of chapter 8 of the Acts of the General Assembly of Kentucky of 1916, all relating to the adoption, sale and distribution of school text books

in the state of Kentucky, and in the cities of the first, second, third and fourth classes.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That subsection 1 of section 4421a, Kentucky Statutes, Carroll's edition of 1915, be and the same is hereby repealed and re-enacted so as to read as follows:

"1. There is hereby created a State Text Book Commission to be composed of the following members:

The Governor, who shall be ex-officio chairman of said commission; the Superintendent of Public Instruction, who shall be ex-officio secretary of said commission; one member of the faculty of each of the State Normal Schools at Richmond and Bowling Green; one member of the faculty of the State University, and one educator of high qualifications, actually engaged in educational work, from each of the appellate court districts. All members except the two ex-officio members shall be appointed by the Governor in the month of January, in the year 1919, and in the month of January every five years thereafter. Said appointive members shall serve for a term of four years from and after their appointment, and until their successors are appointed and qualified, and any vacancies on said commission shall be filled in the same manner as the original membership is determined."

§ 2. That subsection 3 of section 4421a of Kentucky Statutes, Carroll's edition of 1915, be and the same is hereby repealed and re-enacted so as to read as follows:

"3. The members of the State Text Book Commission as thus constituted, shall meet within ten days after their appointment on the call of the chairman, or, on a call signed by a majority of the members, in the office of the chairman, for the purposes of organization, and to provide, as herein-

after stated, for proper notice to the various text book publishers, regarding the adoption of text books for a period of five years, in the State of Kentucky."

§ 3. That subsection 4 of section 4421a of Kentucky Statutes, Carroll's edition 1915, be and the same is hereby repealed and re-enacted so as to read as follows:

"4. At the first meeting of the State Text Book Commission as herein constituted, the members shall determine the name and the number of the various text books now in use in the State of Kentucky which shall be re-adopted or continued in use for a period of five years, and the name and number of such text books which may be discontinued or re-adopted as hereinafter provided, and not more than fifty per cent of either the high school or common school subjects which are then in use in the public or high schools of the State, shall be changed, provided an arrangement may be made with the publishers of said books, whereby the same books may be continued for a period of five years at a price equal to, or less than the prices at which such books are sold at that time. The State Text Book Commission shall advertise in one or more daily, or other newspapers, or by written notifications to all qualified publishers as herinafter provided, that said commission will receive sealed bids or proposals from the publishers of school text books, on or before the first day of March preceding the expiration of the present, or any future contract for the adoption of text books, in accordance with the provisions of this law, and such other regulations as the commission may prescribe. The commission will also receive, at the same time, written proposals from publishers, who may at that time hold contracts with the State of Kentucky, or, with any city of the first, second, third or fourth class, as to whether or not they will furnish and provide such books as are in use at that time, for a period of five years from the date of the expiration of said contract, at the same price, or, at a less price. Such written statement shall be filed with the

commission, as stated above, relating to the adoption or the continuation of said books for said period of time in either the State, or in any of the above mentioned cities."

§ 4. That section 1, chapter 8, of the acts of 1916, be and the same is hereby repealed and re-enacted so as to read as follows:

"Such bids and proposals shall be for furnishing books during a period of five years. The bids shall state specifically, the net contract prices at which books are to be furnished to dealers within a county, and the exchange price, and shall be accompanied by a specimen copy of every book proposed to be furnished. All bids shall be sealed and deposited with the secretary of the commission to be by him delivered to the commission in executive session, when they shall be opened in the presence of the commission. It shall be the duty of the secretary of the commission to carefully preserve in his office for comparison, the specimen copy of each of the books adopted, together with the original bid or proposal, and when requested, to return to the publishers the specimen copies of other books submitted at their expense.

Provided, however, that when the present contracts then existing for the furnishing of text books shall have expired by the terms thereof, the commission shall arrange for a continuance of such contracts for a period of five years, on at least fifty per cent. of the subjects then in use, provided such contracts may be renewed or continued at the same, or at a less price than that at which they are furnished at that time. The commission shall provide for the making of new contracts and new bonds and the provisions of the text book law as now amended, shall be followed with respect to the books which are continued, or the contracts which are renewed, as that on which new books are adopted. At the expiration of any new contract and every five years thereafter, adoptions and renewals of contracts shall be made according to the provisions of the text book law. If it shall be impossible for

the commission to arrange for a continuation of fifty per cent of the books, then in use at a price equal to, or less, the commission shall readvertise and proceed with the selection and adoption of such books as in the original manner."

§ 5. That subsection 8 of section 4421a, Kentucky Statutes, Carroll's edition of 1915, and subsections 1 to 32 inclusive of section 4421b, of Carroll's edition of 1915, be and the same are hereby repealed and re-enacted so as to read as follows:

"8. The cities in the State of Kentucky, of the first, second, third and fourth classes, shall not be compelled to use the books adopted by the State Text Book Commission. It shall be the duty of the secretary of the State Text Book Commission to submit to the board of education of each of the said cities, a certified list of all books filed for adoption with the State Text Book Commission as soon as practical after such bids have been received by the text book commission, and also, a list of such books as have been adopted in said cities which may be continued for a period of five years at the same, or a less price, according to the provisions of this law. The board of education of said cities shall have authority to adopt a series of books for said cities for a period of five years according to the provisions of this law, and contracts with publishers for said books shall be made by and between the publishers and the said board of education. The adoption of text books by the boards of education in the various cities of the first, second, third and fourth classes, shall be made within sixty days after the adoption has been made by the State Text Book Commission for the State of Kentucky, and such adoption in the various cities may be made from the same books adopted by the State Text Book Commission, or, a part of said books. It being the intention of this act to permit uniformity in the State of Kentucky, and in said cities wherever possible. All the provisions of this law and the bonds required to be given by said publishers,

shall be applicable to the sale of text books in such cities. Any city of the first, second, third and fourth classes, may require bond to be made in favor of the board of education at the time of the making of the contract between said city and said publisher, or, it may relinquish such right, provided the publisher with whom a contract is made, has previously filed a bond with the State of Kentucky, guaranteeing the faithful performance of its contract with the State and with said cities. In this event, the city may rely for relief on the bond given to the State of Kentucky, should the contract be violated. All contracts with the above named cities shall be made within the time specified by this law, and all provisions and penalties of this law shall operate and be effective in the adoption of books in said cities."

§ 6. That subsection 12 of section 4421a, Kentucky Statutes, Carroll's edition of 1915, be and the same is hereby repealed and re-enacted so as to read as follows:

"12. It shall be the duty of the State Superintendent of Public Instruction, to prepare and have printed, a form of contract and a form of bond, between the State Text Book Commission and the publishers of school books, and also, a form of contract and a form of bond between the various city boards of education and the publishers of school books, such forms of contract to be approved by the Attorney General, and no other form of contract shall be used by the State Text Book Commission or any city board of education with the publishers, in carrying out the provisions of this act. Nothing herein shall prevent any publisher from filing sample copies of books to be adopted with the board of education in said cities. The board of education in various cities of the first, second, third and fourth classes, shall adopt a series of text books for use in such cities, from the list certified to them by the secretary of the State Text Book Commission, and no other book shall be adopted by said city."

§ 7. That subsection 14 of section 4421a, Kentucky Statutes, Carroll's edition of 1915, be and the same is hereby repealed and in lieu thereof the following is hereby enacted:

"14. Dealers to be Appointed.—For the distribution and sale of books adopted by the State Text Book Commission of the patrons of the schools of the State, the county board of education, or the city board of education as herein provided, shall appoint two or more responsible merchants or other agents in the counties and cities herinabove mentioned, of good financial rating, in locations selected with reference to the convenience of the patrons of the schools, as dealers of text books, and such dealers shall receive fifteen per cent of the net contract price at which the books are furnished to the dealer, such dealer shall pay the transportation charges and all other charges on the said books."

§ 8. That subsection 26 of section 4421a, Kentucky Statutes, Carroll's edition of 1915, be and the same is hereby repealed and re-enacted so as to read as follows:

"26. The State Text Book Commission shall have authority, after having examined thoroughly all books submitted for adoption, to go into executive session and exclude all agents of all publishers, after a date set by said commission, from further interviews and representations, and it shall be a misdemeanor, after such date has been declared for the agent of any publisher, or for any person or agent whatever, representing such publisher, to be present in any such executive sessions, and upon being found guilty such agent, person or publisher shall be punished by a fine of not less than one thousand dollars nor more than ten thousand dollars, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment; and all such fines shall be covered into the treasury of Kentucky for the benefit of the State school fund. After such date has been declared, the text book commission shall continue in executive session, or meet from time to time, and the adoption of text

books under this act, shall be concluded by said commission not later than May the first, just preceding the expiration of the contract then in force.

The Committee on Education No. 1 offered the following amendments to said bill, viz.:

Amend subsection 14 by striking out word "fifteen," in line nine and substituting word "twenty" therefor.

Said amendment was adopted.

Mr. Hardin offered the following amendment to House Bill No. 256, viz.:

Amend section 3 by adding thereto at the end of line 30, on page 3, the following words: "But a continuation of 50% or any portion of books shall not be obligatory on any of such cities."

Section 5. That subsection 8 of section 4421a, Kentucky Statutes, Carroll's edition of 1915, be, and it is, hereby repealed and re-enacted so as to read as follows:

"8. The cities of the state of Kentucky, of the first, second, third and fourth classes, shall not be compelled to use the books adopted by the State Text Book Commission. It shall be the duty of the secretary of the State Text Book Commission to submit to the board of education of each of the said cities a certified list of all books filed for adoption with the State Text Book Commission as soon as practical after such bids have been received by the text book commission, and also, a list of such books as have been adopted in said cities which may be continued for a period of five years. The board of education of said cities shall adopt a series of books for said cities for a period of five years according to the provisions of this law, and between the publishers and the said board of education. The five year adoption of text books by

the boards of education in the various cities of the first, second, third and fourth classes, shall be made within sixty days after the adoption has been made by the State Text Book Commission for the state of Kentucky, and such adoption in the various cities may be made from the list of books certified by the State Text Book Commission. It being the intention of this act to permit uniformity in the state of Kentucky, and in said cities wherever possible. All provisions of this section and the bonds required to be given by said publishers, shall be applicable to the sale of text books in such cities. Any city of the first, second, third and fourth classes may require bond to be made in favor of the board of education at the time of the making of the contract between said city and said publisher, or, it may relinquish such right, provided the publisher with whom a contract is made, has previously filed a bond with the state of Kentucky guaranteeing the faithful performance of its contract with the state and with said cities. In this event the city may rely for relief on the bond given to the state of Kentucky, should the contract be violated. All five year contracts with the above named cities shall be made within the time specified by this law, and all provisions of this section and all the penalties of this law respecting the adoption of books shall operate and be effective in said cities.

"Save as in this section 8 provided, the provisions of this act shall not apply to the boards of education in cities of the first, second, third and fourth classes, but the act of 1910 regarding cities of the first, second, third and fourth classes, and the act of 1912 regarding cities of the second class shall be and remain in force unaffected by this act."

Said amendments were adopted.

Mr. Hardin offered the following amendments to House Bill No. 256, viz.:

Amend section 6 of House Bill No. 256 by striking out, in line 17, the following words at the end of said section: "And no other books shall be adopted by said city."

Amend section 7 of House Bill No. 256, in line 11, page 7, by striking out the word "of" and inserting in lieu thereof the words "based upon," and by adding to said section the following words:

"Such dealers shall be of good financial rating, but no contractor shall have the right to refuse to furnish books to such dealers on the ground that his financial rating is not good in the event such dealer executes a bond approved by the county superintendent for the faithful performance of his duties, and that he will well and truly pay over to such contractor all money coming into his hands belonging to the contractor.

"Said dealers shall exchange new books for old ones of the same grade displayed by said adoption, at the exchange price herein provided for, during the first year of the life of each and every contract made under the provisions of this act. All bids and proposals shall set out clearly and specifically an exchange price at which such book or books shall be furnished to pupils and patrons who may have old books on the same subject, and which may be exchanged for new books, and the exchange prices shall, in all cases, be subject to the terms of the contract made between the state and any publisher bidding. Such new books as are held in Kentucky now or at any future adoption by purchase by dealers, and in good condition, shall be taken in exchange at the original net price by the successful bidders from such dealers as held in stock such books."

Amend House Bill No. 256 by striking out of line fourteen of the printed bill the word "five," after the word "every," and before the word "years," and inserting in lieu thereof the word "four."

Said amendments were adopted.

Mr. Hardin offered the following amendment to House Bill No. 256, viz.:

Amend by substituting the following for section 4:

"At the first meeting of the State Text Book Commission, as herein constituted, it shall advertise in one or more daily, or other newspapers, or by written notification to all qualified publishers as hereinafter provided; that said commission will receive sealed bids or proposals from the publishers of school text books on or before the first day of March preceding the expiration of the present or any future contracts for the adoption of text books in accordance with the provisions of this law and such other regulations as the commission may prescribe.

"The commission will also receive at the same time written proposals from publishers who may at that time hold contracts with the state of Kentucky, or with any city of the first, second, third or fourth class as to whether or not they will furnish and provide such books as are in use at the time for a period of five years from the date of the expiration of said contract at the same price or a less price. Such written statement shall be filed with the commission as stated above relating to the adoption or the continuation of said books for said period of time in either the state, or in any of the above named cities; provided, that not more than fifty per cent of either the high school or the common school subjects, which are then in use in the public or high schools of the state, shall be changed, provided an arrangement may be made with the publishers of said books, whereby the same books may be continued for a period of five years at a price equal to or less than the price at which books are sold at the time."

Said amendment was agreed to.

Mr. Chappell offered the following amendments to House Bill No. 256, viz.:

On page five, and in line six, strike out the word "fourth," which amends said section to read: "First, second and third class cities."

Said amendment was disagreed to.

Mr. Laughlin offered the following amendment to House Bill No. 256, viz.:

Amend House Bill No. 256 by adding after the word "district," at the end of line eleven, section 1, the following: "Provided that two of the members of said commission shall be women."

Said amendment was disagreed to.

Mr. Thornton offered the following amendment to House Bill No. 256, viz.:

That House Bill No. 256 be, and the same is, hereby amended by striking therefrom all language pertaining to cities of the first, second, third and fourth class, starting on line fourteen, page six, same being part of section 6.

Said amendment was disagreed to.

Mr. A. J. Oliver offered the following amendment to House Bill No. 256, viz.:

Amend House Bill No. 256 by striking out the word "and," before the word "fourth," in the last line of the caption and inserting in lieu thereof a comma, and by inserting

in the same line, and after the word "fourth" a comma, followed by the words "fifth and sixth" before the word "classes."

By striking out the word "or," in line 24 of section 3, before the word "fourth," and inserting in lieu thereof a comma and by inserting in the same line, after the word "fourth," the words "fifth or sixth."

Said amendment was disagreed to.

Mr. Klair moved the previous question on said bill and all amendments.

The Speaker stated: Shall the main question be now put?

Said question was decided in the affirmative.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	Leroy Bonta	W. P. Cropper
Chas. Ashby	W. P. Bowman	J. C. Davis
B. S. Bailey	J. L. Bradford	A. A. Demunbrun
L. D. Baldauf	O. V. Brown	H. L. Dixon
J. H. Ballard	Everett Cobb	W. G. Dycus
B. C. Beckmann	John Cook	F. A. Easterling
H. V. Bell	A. S. Cooper	J. M. Elliston

M. E. Gilbert	Joseph Lazarus	Avery Sartin
J. S. Hall	M. E. Lee	Joe Schneider
L. B. Hamilton	J. E. Lilly	Claude B. Smith
E. C. Hardin	Harry J. Meyers	T. J. Smith
B. H. Harris	John T. Murphy	Ben Street
D. J. Howard	Ryland C. Musick	John W. Swope
Joe Huddleston	W. P. McDonogh	Claude M. Thomas
A. R. Hudson	H. C. McGehee	Elmore Thomas
Chas. L. Hunter	S. Lee McGohan	John B. Thomas
J. W. Johnson	H. C. McLellen	Geo. F. Thompson
W. H. Jones	W. B. O'Bannon	S. G. Thornberry
Griffin Kelly	W. F. Paris	F. C. VanHoose
W. F. Klair	Lilburn Phelps	G. Frank Walthal
H. A. Knollmann	Ote Piper	E. G. Young
W. T. Lasley	Richard Radcliffe	
S. D. Laughlin	Lewis Ryans	—67

Those who voted in the negative were—

H. C. Chappell	I. H. Gabbard	R. T. Smith
Fred Cornelius	W. H. Hager	J. T. Thornton
Harry Dill	A. J. McCandless	—8

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Klair, of the Committee on Rules, indicated the hour for the special order of the day, namely, three o'clock p. m., a joint session of the House and Senate to hear an address to be delivered by Hon. Anatole Le Braz, on the subject of the World War.

Thereupon the Senate, in order, entered and took seats upon the floor of the House.

After a time, and at the conclusion of said address, the Senate retired in order.

The House was then in order.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 379. An act to amend the public school laws and to provide for the furnishing of free text books to pupils of the graded schools in cities of the first, second, third and fourth class and in all graded common school districts.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be the duty of the boards of education in cities of the first, second, third and fourth class, and the boards of trustees of all graded common school districts in this Commonwealth to hereafter furnish and provide, free of charge, text books to all pupils attending the public schools in such cities in either the first, second, third, fourth, fifth, sixth, seventh and eighth grades thereof under such system and in accordance with such rules and regulations as such boards of education and boards of trustees may provide and establish.

§ 2. That for the purpose of providing funds necessary for the purchase and distribution of such text books it shall be the duty of the respective boards of education and boards of trustees in graded school districts to make, each year, a careful estimate of the amount of money required for such purpose for the ensuing school year, which estimate when so made by the board of education of such cities shall be duly certified and delivered to the general council or other governing municipal body prior to the fixing or determining by such

general council or governing body of the tax levy for the ensuing year.

§ 3. Upon the receipt of such estimate so furnished by the respective boards of education of said cities, the general councils or other governing bodies of such cities and the boards of trustees of graded school districts shall each year include the amount named in such estimate in the taxes to be raised for the ensuing year and shall levy and collect the amount in the same manner as other city and district taxes are levied and collected. The funds so collected shall be known as the "Free Text Book Fund," and a separate account thereof shall be kept by the respective city treasurers and the boards of education of said cities, and treasurers of graded school districts. All sums and amounts so levied and collected for the benefit of said fund shall be paid over by the respective city treasurers to the boards of education of such cities, the first payment to be made within one week after the collection begins, and thereafter in weekly installments.

§ 4. Money so raised for the purchase and distribution of free text books, as herein provided, shall be used for that purpose and none other.

§ 5. All text books purchased and distributed under the provisions of this act shall remain the property of the respective boards of education.

§ 6. That the boards of education in the four classes of cities herein above named and the board of trustees in all graded common school districts may be enabled to furnish free text books to public school pupils at the opening of the school term in the fall of the year 1918, such boards are hereby authorized and empowered to include in the estimate, which in the case of board of education of the classes of cities named herein shall be certified to the general councils or other governing municipal bodies, such sum of money as may be required to purchase and distribute the text books needed during said fall term and until the taxes provided

for have been levied and collected, and may, if they deem advisable, borrow such money as may be required to meet such need on the credit of the board in anticipation of the tax revenue to be thereafter received; and in so borrowing shall have full right and power to pledge such anticipated revenue for the payment of the principal and interest of such loan; provided, that the interest to be paid shall not exceed six per cent per annum; and provided further, that no sum or amount shall be so borrowed unless and until the estimate herein required shall have been first made, and in the case of board of education, certified to the city authorities as herein provided.

§ 7. This act shall become effective on September 1, 1918.

§ 8. The rule of law requiring strict construction of statute in derogation of the common law shall not be applicable to the provisions of this act. If any section or part thereof shall be held invalid, such partial invalidity shall not affect the act as a whole nor any other section or part thereof.

Mr. McDonogh offered the following amendment to said bill, viz.:

Amend House Bill No. 379 by striking out the word "first," in section 1, line 2.

Amend section 6 by striking out "four" and inserting "three."

Amend title of House Bill No. 379 by striking out the word "first," in the second line thereof.

Mr. Allen offered the following amendment to said bill, viz.:

Amend House Bill No. 379 by adding after the word "in," in line 3 of section one the words "or party within such

city of," and amend the title of said bill by striking out the words "and in all graded common school districts," in line three of such title and at the end thereof.

Mr. Klair offered the following amendment to said bill, viz.:

Amend House Bill No. 379 by adding "except counties having cities of the second class."

Mr. Bell moved that said bill and all pending amendments be laid on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 437. An act to provide for a state flag for the Commonwealth of Kentucky and to prescribe the design thereof.

Said bill reads as follows, viz.:

Whereas, the Commonwealth of Kentucky has no official state flag, and whereas, it is desirable that such flag be provided for and adopted by law; now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the official state flag of the Commonwealth of Kentucky shall be of navy blue silk or bunting, with the seal of the Commonwealth of Kentucky encircled by a wreath of golden rod, embroidered, printed or stamped on the center thereof. The dimensions of the flag may vary.

§ 2. This act shall take effect from and after its passage.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	Lark Garnett	Ryland C. Musick
Chas. Ashby	M. E. Gilbert	A. J. McCandless
B. S. Bailey	W. H. Hager	W. P. McDonogh
L. D. Baldauf	L. B. Hamilton	H. C. McLellen
J. H. Ballard	E. C. Hardin	W. B. O'Bannon
B. C. Beckmann	B. H. Harris	W. F. Paris
H. V. Bell	D. J. Howard	Luther Pieratt
Leroy Bonta	A. R. Hudson	Ote Piper
W. P. Bowman	Chas. L. Hunter	Richard Radcliffe
J. L. Bradford	J. W. Johnson	Lewis Ryans
O. V. Brown	Leslie P. Jones	Avery Sartin
R. J. Cain	W. H. Jones	Joe Schneider
T. L. Caudel	Griffin Kelly	Claude B. Smith
Everett Cobb	W. F. Klair	R. T. Smith
A. S. Cooper	H. A. Knollmann	Thomas Spurrier
W. P. Cropper	W. T. Lasley	Ben Street
J. C. Davis	S. D. Laughlin	John W. Swope
A. A. Demunbrun	Joseph Lazarus	Claude M. Thomas
Harry Dill	M. E. Lee	John B. Thomas
H. L. Dixon	J. E. Lilly	J. T. Thornton
W. G. Dycus	Harry J. Meyers	F. C. VanHoose
F. A. Easterling	Clarence Miller	G. C. Waggoner
J. M. Elliston	S. H. Moore	G. Frank Walthal
I. H. Gabbard	John T. Murphy	E. G. Young

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Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 211. An act concerning loan and investment companies in cities of the first and second class, defining same and providing for the incorporation, powers, supervision and control of such companies.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

DEFINITION OF "LOAN AND INVESTMENT COMPANY."

§ 1. The term "loan and investment company," as used in this act means any corporation formed under the provisions of this act.

CORPORATORS' NUMBER—AMOUNT OF CAPITAL REQUIRED—NAME.

§ 2. Any number of persons not less than five may associate to establish a loan and investment company in cities of the first and second class upon the terms and conditions and subject to the liabilities prescribed in this act. The name of any corporation formed under this act may contain the words "industrial bank," but said name shall not be that of any other existing corporation of this state, and it shall not be necessary for any corporation organized under the provisions of this act to use the word "incorporated" in addition to its corporate name, either in its place of business or on

any printed or advertising matter. The capital stock of any such loan and investment company shall not be less than $25,000.00, fifty per cent of which shall be paid in cash before any such corporation shall be authorized to transact any business other than such as relates to its formation and organization, and the remainder of the capital stock shall be paid in in money within one year after the loan and investment company is authorized to commence business at such times and in such amounts as the directors may require.

ARTICLES OF INCORPORATION—WHAT THEY SHALL SPECIFY.

§ 3. Such persons shall execute articles of incorporation which shall specify:

1. The name of the corporation, which shall be such as to distinguish it from any other corporation engaged in the same business or promoting or carrying on the same objects or purposes in this state.

2. The name of the city or town and county in which its principal office or place of business is to be located.

3. The nature of the business, or objects, or purposes proposed to be transacted, promoted or carried on.

4. The amount of its capital stock and the number of shares into which the same shall be divided.

5. The names and places of residence of the incorporators and the number of shares of stock subscribed by each.

6. The time when it is to commence and the period it is to continue.

7. By what officers or persons the affairs of the corporation are to be conducted and the time and place at which they are to be elected.

8. The highest amount of indebtedness or liability which the corporation may at any time incur.

9. Whether the private property of the stockholders, not subject by the provisions of the law under which it is organized, shall be subject to the payment of corporate debts, and if so, to what extent.

ARTICLES OF INCORPORATION—HOW EXECUTED AND RECORDED—PREVIOUS APPROVAL BY COMMISSIONER OF BANKING.

§ 4. The articles of incorporation shall be signed and acknowledged by the parties thereto before any officer authorized to take acknowledgment to deeds, and recorded in the county clerk's office of the county in which the loan and investment company is to be located, and a certified copy thereof shall be filed in the office of the Secretary of State; and said articles, or a certified copy thereof, may be used as evidence in any action for or against such loan and investment company; provided, however, that before filing the articles of incorporation of any proposed loan and investment company in the office of the county clerk in the county in which the loan and investment company is to do business, and with the Secretary of State as is herein provided, the incorporators shall present a copy of said articles of incorporation to the Banking Commissioner for his approval and when same are approved in writing by said commissioner, the incorporators may proceed to the filing and recording of same. Upon presentation of said articles of incorporation to the Banking Commissioner for approval, said commissioner shall carefully examine same, and shall make such inquiry and investigation as to the financial standing and moral character of each of the incorporators as he may deem necessary. He shall inform himself that the incorporators are seeking to establish a *bona fide* loan and investment business and are acting in good faith, and upon his conclusions he shall approve or refuse to approve said articles of incorporation. If such articles be approved then the county court clerk and the Secretary of State, respectively, may receive said articles for filing and recording. Upon the filing and recording of said articles and doing all other things required by the laws of the state, the said bank or trust company shall be deemed organized for the purposes named in its articles of incorporation, but no corporation seeking to do a loan and investment busi-

ness shall actually transact any such busines until it receives from the Banking Commissioner a certificate in which it shall be set out that said corporation has fully complied with all the provisions of this act, and that the requisite capital has been in good faith subscribed and paid in cash.

BUSINESS—WHEN MAY BEGIN—POWERS OF CORPORATION.

§ 5. When the articles are filed and recorded, and the certificate received from the Banking Commissioner, as herein provided, it may commence business and be known by and carry on its business in its corporate name and as such shall have power to adopt and use a corporate seal; to make contracts; sue and be sued; to appoint, remove and elect officers, define their duties and require from any of them a bond for the faithful discharge of their duties; to prescribe by its Board of Directors by-laws for the government of the loan and investment company not inconsistent with law; to exercise subject to law all such powers as may be necessary:

(a) To lend money and to deduct interest therefor in advance at the rate of six per centum per annum, and in addition to require and to receive uniform weekly or monthly installments on its certificates of indebtedness purchased by the borrower, simultaneously with the said loan transaction, or otherwise, and pledged with the corporation as security for the said loan, with or without an allowance of interest on such installments.

(b) To sell or negotiate bonds, notes, certificates of investment, and choses in action for the payment of money at any time, either fixed or uncertain, and to receive payments therefor in installments or otherwise, with or without an allowance of interest upon such installments.

(c) To charge for a loan made pursuant to this section one dollar for each fifty dollars or fraction thereof loaned for expenses, including any examination or investigation of the character and circumstances of the borrower, co-maker

or surety and the drawing and taking acknowledgment of necessary papers or other expenses incurred in making the loan; no charge shall be collected unless a loan shall have been made as a result of such examination or investigation.

§ 6. No corporation organized under the provisions of this act shall, (a) hold at any one time the obligation or obligations of any person, firm or corporation for more than two thousand dollars.

(b) Make any loan under the provisions of this act for a longer period than one year from the date thereof.

(c) Deposit any of its funds with any bank or trust company unless such bank or trust company has been designated as such depository by vote of the majority of the directors or of the executive committee, exclusive of any director who is an officer, director or trustee of the depository so designated.

§ 7. Every corporation incorporated under the provisions of this act shall report to and be subject to examination, supervision and control of the Banking Commissioner as now provided or may hereafter be provided by law.

§ 8. The provisions of chapter 82 of the Session Acts of 1902 entitled "an act to regulate investment companies," shall not apply to corporations incorporated under the provisions of this act.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	B. S. Bailey	J. H. Ballard
Chas. Ashby	L. D. Baldauf	A. L. Baldwin

B. C. Beckmann	B. H. Harris	Lilburn Phelps
H. V. Bell	D. J. Howard	Luther Pieratt
W. P. Bowman	Joe Huddleston	Ote Piper
J. L. Bradford	A. R. Hudson	Richard Radcliffe
O. V. Brown	Chas. L. Hunter	Lewis Ryans
R. J. Cain	J. W. Johnson	Joe Schneider
T. L. Caudel	Griffin Kelly	Claude B. Smith
John Cook	W. F. Klair	R. T. Smith
A. S. Cooper	H. A. Knollmann	T. J. Smith
W. P. Cropper	S. D. Laughlin	Ben Street
J. C. Davis	Joseph Lazarus	John W. Swope
A. A. Demunbrun	J. E. Lilly	Claude M. Thomas
Harry Dill	Harry J. Meyers	Elmore Thomas
H. L. Dixon	Clarence Miller	John B. Thomas
W. G. Dycus	S. H. Moore	Geo. F. Thompson
J. M. Elliston	John T. Murphy	J. T. Thornton
I. H. Gabbard	Ryland C. Musick	F. C. VanHoose
Lark Garnett	A. J. McCandless	G. C. Waggoner
M. E. Gilbert	W. P. McDorogh	G. Frank Walthal
W. H. Hager	H. C. McLellen	T. R. Welch
L. B. Hamilton	W. B. O'Bannon	E. G. Young
E. C. Hardin	W F. Paris	—71

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 512. An act to amend subsection 1 of section 4780a, of the Kentucky Statutes, Carroll's edition 1915, being an act approved March 21, 1904.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That subsection 1 of section 4780a of the Kentucky Statutes (Carroll's), 1915 edition (being an act approved March 21, 1904, be amended by adding after the words "that cotton seed oil," the following words: Soy bean oil, cocoanut oil, copra oil, turpentine, grape seed oil, gasoline, kerosene, and all other oils; so that said subsection 1 of section 4780a of the Kentucky Statutes, when amended, will read as follows:

That cotton seed oil, soy bean oil, cocoanut oil, copra oil, turpentine, grape seed oil, gasoline, kerosene, and all other oils, may be received and stored by the owner of any warehouse, and warehouse receipts may be issued therefor, as herein provided. The owners of such warehouse shall, before transacting any business, obtain a license and give bond as provided for by sections 4782 and 4783 of the Kentucky Statutes in the case of grain warehouses, such bond to be in the penal sum of twenty-five thousand ($25,000) dollars.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	W. T. Beckham	J. L. Bradford
Chas. Ashby	B. C. Beckmann	O. V. Brown
B. S. Bailey	H. V. Bell	R. J. Cain
L. D. Baldauf	Leroy Bonta	T. L. Caudel
J. H. Ballard	W. P. Bowman	Everett Cobb

John Cook	Griffin Kelly	Luther Pieratt
A. S. Cooper	W. F. Klair	Ote Piper
Fred Cornelius	H. A. Knollmann	Avery Sartin
W. P. Cropper	S. D. Laughlin	Joe Schneider
J. C. Davis	Joseph Lazarus	Claude B. Smith
A. A. Demunbrun	M. E. Lee	R. T. Smith
H. L. Dixon	J. E. Lilly	T. J. Smith
W. G. Dycus	Harry J. Meyers	Ben Street
J. M. Elliston	Clarence Miller	John W. Swope
I. H. Gabbard	S. H. Moore	Claude M. Thomas
Lark Garnett	John T. Murphy	Elmore Thomas
W. H. Hager	A. J. McCandless	Geo. F. Thompson
L. B. Hamilton	W. P. McDonogh	S. G. Thornberry
B. H. Harris	S. Lee McGohan	G. C. Waggoner
D. J. Howard	H. C. McLellen	G. Frank Walthal
Chas. L. Hunter	W. B. O'Bannon	T. R. Welch
J. W. Johnson	W. F. Paris	E. G. Young

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There voted in the negative—

F. A. Easterling —1

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 225. An act to provide for county inspectors of aparies and defining their duties, and providing for their compensation for the purpose of curing and avoiding foul brood and other diseases among bees and their hives.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Bees—Inspectors of Apairies—County Judge May Appoint.—That whenever a petition is presented to the county judge of any county in the State of Kentucky, signed by three or more persons, all of whom are residents of said county, and possessors of an apiary or place where bees are kept, praying that inspector be appointed by said county judge, said county judge shall, within five days after the presentation of said petition, appoint a person as bee inspector who is a resident of said county, who shall be a skilled bee keeper, having a thorough knowledge of foul brood and other diseases injurious to bees and their larvae and the treatment of same.

§ 2. Inspector to Accept Office—Removal.—The person so appointed shall, within five days after his appointment, file with the said county judge his written acceptance of the office or, in default thereof, or in case of vacancy, the county judge in the same manner may make appointments until said office is filled. The inspector shall hold his office for two years and until his successor is appointed and qualified, and may appoint sufficient deputy inspectors to inspect the county thoroughly, except when on petition of ten person (each of whom is a resident of said county and possessor of an apiary), to the judge of said county, he may remove said inspector for cause after hearing of petitioners.

§ 3. Inspectors to be Notified by Bee Owners of Disease, etc.—May Kill Diseased Bees.—Any bee keeper or other persons who shall have cause to believe that an apiary in his county is infected with foul brood or other disease, either in his own apiary, or elsewhere, shall notify the inspector stating that on information or belief he believes that certain apiaries, describing the location, naming the owner or keeper, are affected with foul brood or other disease, and his ground for such belief. On receiving said notice from any source of

the existence in an apairy in his county, of the disease known as foul brood, or any other infectious or contagious disease of bees, the county inspector of bees or his deputy shall forthwith inspect each colony of bees and all hives, implements and apparatus, honey and supplies on hand or used in connection with such apairy, and shall treat any and all colonies so infected; also thoroughly disinfect all hives, bee houses, honey and apparatus that have been used in connection with any such diseased colonies; or, at the election of the owner or person in charge of such bees may, within the same time, utterly and completely destroy said bees, hives, houses, comb, honey and apparatus by first killing the bees (by the use of sulphur fumes when the bees are in the hives for the night), by fire, or bury the same in the ground with a covering of not less than two feet of earth.

§ 4. Premises May Be Entered and Bees Inspected.—Any inspector of bees shall have the right to enter the premises of any bee keeper where the bees are kept, and inspect such bees, and any person resisting or refusing to allow said inspection by said bee inspector shall be guilty of a misdemeanor and may be then and there arrested by said bee inspector or person deputized by him and brought before a justice of the peace, and upon conviction shall be fined not less than ten or more than twenty-five dollars.

§ 5. Inspector Must Disinfect His Clothing.—After inspecting, working with or handling infected fixtures, or handling diseased bees, the inspector or other person shall, before leaving the premises, or proceeding to any other apiary, thoroughly disinfect his own person and clothing, and shall see that any assistant or assistants that may have been with him have also thoroughly disinfected their clothing and person.

§ 6. Bees May Be Ordered Transferred.—Any inspector shall have full power in his discretion to order any owner or possessor of bees dwelling in box hives or gums

(being mere boxes or gums without frames) to transfer such bees to movable frame hives with straight combs built from comb foundation or comb foundation starters, within a specified time, and in default of such transfer, after said length of time, the inspector may transfer such fees at the owner's expense, if free from disease; but. if diseased, he may destroy or order the destruction of such hives and bees as a public nuisance.

§ 7. Penalty for Keeping, etc.—Should any owner, or keeper of, or other person having diseased bees or their larvae, or of any affected hives or combs, appliances or utensils for bee keeping, sell or barter or give away the same or allow the same or any part thereof to be moved, such person shall be guilty of a misdemeanor, and upon conviction such person shall be fined not less than ten nor more than twenty-five dollars.

§ 8. Penalty.—Should any person, whose bees have been destroyed or treated for foul brood, sell, or offer for sale, any bees, hives or appurtenances of any kind after such destruction or treatment and before being authorized by the inspector to do so, or should he expose, in his bee yard or elsewhere, any infected comb, honey or other infected thing, or conceal the fact that such disease exists among his bees, such person shall be guilty of a misdemeanor, and upon conviction such person shall be fined not less than ten nor more than twenty-five dollars.

§ 9. Penalty.—If any owner or keeper of bees knows of, or after being notified by an inspector that foul brood or other infectious or contagious disease exists in any of the hives in the apiaries owned or in charge of said persons, and shall fail to comply within ten days from receiving said knowledge and the date of receiving instructions from the county inspector to cure or destroy the bees or hives, or their appliances, such person shall be guilty of a misdemeanor, and upon conviction thereof such person shall be fined not less than twenty dollars nor more than fifty dollars.

§ 10. Bees, ets., May Be Destroyed.—When the owner or possessor of bees shall disobey the directions of said bee inspector in curing or destroying any diseased bees, honey, comb, hives or appliances, said bees, honey, comb, hives, and appliances shall be declared a public nuisance, and the said bee inspector shall at once destroy said bees, honey, hives or appliances, and may deputize such additional persons as he may find necessary to effect such destruction.

§ 11. Inspector to Make Report.—The inspector shall make a semi-annual report in writing, under oath, to the fiscal court of the county, in which report he shall state the days and number of hours in the preceding months spent by him in the actual discharge of his duties, and shall in said report state the name of the owner or keeper, and the location of the apiary upon which such time was spent in curing or destroying said bees, together with an itemized account showing the dates and amounts, and for what said expenses were incurred, and to whom the same was paid, and for what services and consideration such indebtedness was incurred, and he shall make a full and complete report of all he did and results of his treatment of an apiary.

§ 12. Expenses and Compensation of Inspection.—After the inspector of bees in any county shall make report, as provided in the preceding section, said fiscal court shall allow to said inspector of bees five dollars for a full day and two and one-half dollars for each day, necessarily and actually employed in the discharge of his duties under this act, together with his necessary and actual expenses while so employed, to be audited, allowed and paid by the county treasurer upon the warrant of the fiscal court of the county.

§ 12a. Tax May Be Levied.—There shall be levied annually on the owner of each colony of bees in each county in the State having an inspector an annual tax of five (5) cents for each colony owned and an additional tax of fifty cents (50) for each colony transferred or treated by said inspector

or his deputies and the owner of said transferred or treated bees shall pay the additional fifty (50) cents, which levy shall be placed on the tax books of the county by the fiscal court of such county at the time of the levy of other taxes each year, and such levy shall be predicated upon the returns for taxation as made by the assessor having jurisdiction in the premises for the return of personalty for taxation; such assessor shall be provided with necessary authority to procure such returns from owners of colonies of bees, who shall, on demand, be required to list the same for taxation for the purposes of this act, as in other cases of listing and valuation of personalty for taxation. The sheriff of the county shall collect the amount of said tax so assessed in the same manner and at the same time he collects other taxes and the same shall be certified to him by the fiscal court in the same manner as other taxes for collection. The amount so collected shall constitute a special fund to be disposed of in the payment of salary and actual expenses of the inspector of bees appointed in pursuance of the provisions of this act, and said fund can be used in no other way.

§ 13. All laws conflicting with this act are hereby annulled.

The Committe on Agriculture offered the following amendments to said bill, viz.:

Strike out all of section 11 and insert in lieu thereof the following:

11. Compensation of Inspector.—The compensation of the inspector, or his deptuy, shall be paid by the owner of the bees inspected, transferred or treated, and shall be at the rate of twenty-five cents for each colony inspected, and fifty cents for each colony transferred or treated.

Said amendment was adopted.

The same committee offered the following amendment to said bill, viz.:

Strike out all of sections 12 and 12a.

Said amendment was adopted.

The same committee offered the following amendment to said bill, viz.:

Strike out the figure "13" at the beginning of section 13 and insert in lieu thereof the figure "12."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title, and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	O. V. Brown	H. L. Dixon
Chas. Ashby	R. J. Cain	W. G. Dycus
B. S. Bailey	T. L. Caudel	F. A. Easterling
L. D. Baldauf	Everett Cobb	J. M. Elliston
J. H. Ballard	John Cook	I. H. Gabbard
W. T. Beckham	A. S. Cooper	Lark Garnett
B. C. Beckmann	Fred Cornelius	M. E. Gilbert
H. V. Bell	W. P. Cropper	W. H. Hager
Leroy Bonta	J. C. Davis	E. C. Hardin
W. P. Bowman	A. A. Demunbrun	B. H. Harris
J. L. Bradford	Harry Dill	David J. Howard

A. R. Hudson	John T. Murphy	R. T. Smith
Chas. L. Hunter	Ryland C. Musick	T. J. Smith
J. W. Johnson	A. J. McCandless	Ben Street
Leslie P. Jones	W. P. McDonogh	John W. Swope
Griffin Kelly	S. Lee McGohan	Claude M. Thomas
W. F. Klair	W. B. O'Bannon	Elmore Thomas
H. A. Knollmann	W. F. Paris	John B. Thomas
S. D. Laughlin	Luther Pieratt	Geo. F. Thompson
Joseph Lazarus	Ote Piper	F. C. VanHoose
M. E. Lee	Richard Radcliffe	G. C. Waggoner
J. E. Lilly	H. C. Rice	G. Frank Walthal
Harry J. Mevers	Lewis Ryans	T. R. Welch
Clarence Miller	Avery Sartin	E. G. Young
S. H. Moore	Joe Schneider	—74

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Klair moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY. MARCH 13, 1918.

The House was opened with prayer by the Rev. C. L. Bohon, pastor of the Methodist Church.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen	J. H. Ballard	W. T. Beckham
Chas. Ashby	A. L. Baldwin	B. C. Beckmann
L. D. Baldauf	Robert Bays	H. V. Bell

Leroy Bonta
W. F. Bowman
O. V. Brown
R. J. Cain
T. L. Caudel
Everett Cobb
John Cook
A. S. Cooper
Fred Cornelius
W. P. Cropper
James S. Cruse
J. C. Davis
A. A. Demunbrun
Harry Dill
H. L. Dixon
W. G. Dycus
F. A. Easterling
J. M. Elliston
I. H. Gabbard
Lark Garnett
M. E Gilbert
W. H. Hager
J. S. Hall
A. L. Hamilton
L. B. Hamilton
E. C. Hardin
B. H. Harris
David J. Howard
Joe Huddleston
A. R. Hudson
Chas. L. Hunter
J. W. Johnson
Leslie P. Jones
W. H. Jones
Griffin Kelly
W. F. Klair
H. A. Knollmann
W. T. Lasley
Joseph Lazarus
M. E. Lee
J. E. Lilly
Harry J. Meyers
Clarence Miller
S. H. Moore
John T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
H. C. McGehee
S. Lee McGohan
W. B. O'Bannon
A. J. Oliver
T. P. Oliver
W. F. Paris
Lilburn Phelps
Luther Pieratt
Ote Piper
Richard Radcliffe
H. C. Rice
Lewis Ryans
Avery Sartin
Joe Schneider
Claude B. Smith
R. T. Smith
T. J. Smith
Thomas Spurrier
Ben Street
John W. Swope
Claude M. Thomas
Elmore Thomas
John B. Thomas
Geo. F. Thompson
J. T. Thornton
W. F. Trusty
J. Wood Vance
F. C. VanHoose
G. C. Waggoner
G. Frank Walthal
T. R. Welch
W. N. Winn
E. G. Young

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On motion of Mr. Thornton the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

A message was received from the Senate announcing that they had passed bills originating in that body of the following titles, viz.:

S. B. 184. An act to amend and re-enact subsection 1, section 4780a, chapter 133, of Kentucky Statutes, relating to oil warehouses.

To the Committee on Rules.

S. B. 87. An act to amend subsection 1 of section 1550 of the Kentucky Statutes, relative to primary elections.

To the Committee on Rules.

S. B. 244. An act to repeal and re-enact chapter 67 of the Acts of the General Assembly of 1910, relating to courts of justice.

To the Committee on Rules.

S. B. 245. An act to amend section 227 of the Constitution of the Commonwealth relating to the removal of officers for misfeasance, malfeasance or neglect of duty.

To the Committee on Rules.

Also that that body had adopted resolutions originating in the Senate of the following titles, viz.:

S. Res. 24. Resolution providing for furnishing Kentucky Directories.

To the Committee on Rules.

S. Res. 14. Joint resolution for the benefit of J. W. Hedden, formerly Superintendent of Public Printing

To the Committee on Rules.

S. Res. 26. Joint resolution inviting Captain S. F. Jeanes, 6th the Buffs, Captain P. F. Renaudeau, French artillery, Lieutenant C. R. Brown, 6th Royal Highlanders

(Black Watch) and Captain Stephen Mazyck O'Brien, U. S. A., to address the General Assembly.

To the Committee on Rules.

Mr. Claude M. Thomas, of the Committee on Rules, to which committee the same had been referred, reported bills of the following titles, viz.:

S. B. 25. An act for the benefit of the Kentucky Schools for the Deaf, white and colored.

S. B. 111. An act for the benefit of West Kentucky College, making appropriations therefor, providing for state ownership of lands bought or improved, and prescribing regulations for the control of said institution.

S. B. 135. An act to repeal section 3512 of the Kentucky Statutes, Carroll's, and to provide in its stead the means of procuring a special judge of the police court.

S. B. 168. An act to appropriate money to be expended by the Board of Prison Commissioners at the State Reformatory, Frankfort, Ky., for complete electric wiring throughout, heating plant for shoe factory, new boilers, electric motor and engine and dynamo.

S. B. 231. An act to prevent fraudulent advertising in the state of Kentucky.

S. B. 202. An act to amend section 2055 of the Kentucky Statutes relating to county health boards in respect to counties containing cities of the first class.

S. B. 308. An act to amend section 4706, Carroll's Kentucky Statutes of 1915, entitled investment of funds by fiduciary.

Said bills were severally read the first time at length and ordered to be placed in the cadendar.

Mr. Claude M. Thomas, of the Committee on Rules, called from the hands of the chairmen of the committees to which the same had been referred bills of the following titles, viz.:

By Mr. Bonta, of the Committee on Suffrage and Elections:

S. B. 142. An act to provide a method whereby an election on constitutional amendments, submitted to the people for their approval or rejection, may be contested; providing inspectors and challengers in such election; providing penalties and defining crimes in connection with such election.

By Mr. Radcliffe, of the Committee on Insurance—Life and Accident.

S. B. 4. An act to amend an act approved December 3, 1892, entitled an act relating to interest and usury.

By Mr. Howard, of the Committee on Judiciary:

H. B. 344. An act to amend section 392 of the Kentucky Statutes, Carroll's edition, 1915, providing for the appointment of a master commissioner, fixing his term of office and bond to be given.

By Mr. A. J. Oliver, of the Committee on Criminal Law:

H. B. 285. An act making it unlawful to own, keep or have in one's possession a pistol, without a license, and with certain exceptions, and providing penalty and means of issual of license.

The said foregoing bills were reported without expression of opinion.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

The House then took up for consideration from the calendar bills of the following titles, viz.:

H. B. 24. An act relating to charitable institutions, and providing and approving an annual per capita for the pauper and part pay inmates of the Eastern, Western and Central State Hospitals, and for the Kentucky Institute for Feeble-Minded Children, and fixing the amount of per capita to be paid by inmates of said institutions who may be able to pay, and repealing laws in conflict.

With an amendment thereto.

S. B. 1. An act for the benefit of the Kentucky Illiteracy Commission, appropriating money thereto.

H. B. 345. An act repealing and re-enacting section 4325 Kentucky Statutes, edition of 1915, relating to roads—public.

H. B. 520. An act creating the Kentucky State Horticultural Society, and to further foster the fruit interests of the state.

H. B. 522. An act to amend section 186 of the Constitution.

H. B. 439. An act to authorize the fiscal courts to fix and regulate ferry charges within their respective counties or making landing therein.

H. B. 75. An act to prohibit the employment or enticing away of any person under a contract of employment with another, and providing punishment and damages therefor.

S. B. 21. An act relating to charitable institutions, and to appropriate money to the Eastern State Hospital, the Western State Hospital, the Central State Hospital and the Kentucky Institute for Feeble-Minded Children, to pay existing indebtedness of and deficits in accounts of aforenamed charitable institutions and to provide for certain improvements at the Western State Hospital and the Eastern State Hospital.

S. B. 83. An act for the benefit of the Kentucky Normal and Industrial Institute for Colored Persons.

S. B. 96. An act relating to agriculture, labor and statistics, and appropriating money to provide for the continuance of extension work in the state of Kentucky by the Agricultural College of the University of Kentucky, under the provisions of an act of Congress of the United States, approved May 8, 1914, entitled an act to provide for co-operative extension work between the agricultural colleges in the several states receiving the benefits of an act of Congress, approved July 2, 1862, and an act supplementary thereto, and the United States Department of Agriculture, and repealing section 5 of chapter 20, Acts of 1916.

S. B. 152. An act to appropriate money to be expended by the Board of Prison Commissioners for improvements in the cell houses at the State Penitentiary, Eddyville, Ky.

The constitutional provision as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their titles and ordered to be placed in the orders of the day.

A message was received from the Senate announcing that that body had concurred in amendments proposed by the House of Representatives to a bill which originated in the Senate of the following title, viz.:

S. B. 131. An act to amend and re-enact sections seven, sixteen and seventeen of an act entitled Workmen's Compensation Act, chapter 33 of the Acts of 1916.

A message was received from the Senate announcing that that body had appointed a conference committee composed of Senators Antle, Rives and Glenn, to confer with a like committee of the House on House amendments proposed to Senate Bill No. 137.

Thereupon the Speaker of the House appointed a conference committee to confer with a like committee of the Senate on House amendments to Senate Bill No. 137, said committee appointed being Messrs. Bell, Allen and Phelps.

Mr. Claude M. Thomas, of the Committee on Rules, called up for consideration from the Clerk's desk a resolution of the following title. viz.:

H. Res. 28. Joint resolution for free text book commission.

(For said resolution see H. J. March 6th, 1918.)

Mr. Claude M. Thomas moved that said resolution be adopted.

The yeas and nays being taken on the adoption of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	A. L. Baldwin	Leroy Bonta
Chas. Ashby	Robert Bays	W. P. Bowman
B. S. Bailey	W. T. Beckham	J. L. Bradford
J. H. Ballard	H. V. Bell	O. V. Brown

R. J. Cain	Joe Huddleston	W. F. Paris
T. L. Caudel	A. R. Hudson	Luther Pieratt
H. C. Chappell	Chas. L. Hunter	Ote Piper
Everett Cobb	J. W. Johnson	H. C. Rice
John Cook	Leslie P. Jones	Avery Sartin
A. S. Cooper	W. H. Jones	Joe Schneider
Fred Cornelius	W. F. Klair	Claude B. Smith
W. P. Cropper	H. A. Knollmann	R. T. Smith
James S. Cruse	W. T. Lasley	T. J. Smith
J. C. Davis	S. D. Laughlin	Thomas Spurrier
A. A. Demunbrun	Joseph Lazarus	Ben Street
Harry Dill	M. E. Lee	John W. Swope
H. L. Dixon	J. E. Lilly	Claude M. Thomas
W. G. Dycus	Harry J. Meyers	Elmore Thomas
F. A. Easterling	Clarence Miller	John B. Thomas
J. M. Elliston	Claude D. Minor	Geo. F. Thompson
L. H. Gabbard	S. H. Moore	J. T. Thornton
Lark Garnett	Ryland C. Musick	W. F. Trusty
M. E Gilbert	A. J. McCandless	J. Wood Vance
W. H. Hager	W. P. McDonogh	G. C. Waggoner
J. S. Hall	H. C. McGehee	G. Frank Walthal
L. B. Hamilton	S. Lee McGohan	W. N. Winn
E. C. Hardin	H. C. McLellen	E. G. Young
B. H. Harris	W. B. O'Bannon	
David J. Howard	A. J. Oliver	—85

And so said resolution was adopted.

Mr. Dill moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Claude M. Thomas, of the Committee on Rules, presented to the House the joint conference committee's report, said joint committee having heretofore been appointed to

consider the disagreement between the Senate and House as to Senate amendment No. 2 to House Bill No. 138, which report, in writing, reads as follows, viz.:

The Conference Committee appointed to consider the disagreement between the Senate and House over Senate Amendment No. 2 to House Bill No. 138, beg leave to report that said amendment be changed so as to read as follows:

2. Amend House Bill 138, as printed, section 5, line 8, after the word "law" by striking out the balance of such section and by inserting in lieu thereof the following:

Provided, however, that if any taxpayer shall fail or refuse to list his property, it shall be the duty of the county tax commissioner, or deputies, to see said taxpayer in person or call at his residence for the purpose of securing the assessment of his property. If said taxpayer is not at home at the time of said call, the county tax commissioner, or deputy, shall leave a written notice, together with a copy of the schedule. Said notice shall state that the commissioner, or deputy commissioner, has called for the purpose of assessing the property of the taxpayer. It shall then be the duty of the taxpayer to personally appear before the county tax commissioner, or his deputy, and assess his property within the time prescribed by law for the assessment of property. Failure to respond to said notice shall subject the taxpayer to a fine not exceeding fifty dollars. From the first day of November to the thirty-first day of December, inclusive, the county tax commissioner shall make up his assessment book and perform such other duties as may be required to obtain a fair and equitable assessment of property in his county. Any taxpayer may, when he has a reasonable excuse for not assessing his property before the tax commissioner or his deputy as herein provided, appear before any person authorized to administer an oath and make the necessary affi-

davit required by the schedule as to the value of his property, and may then return said schedule to the county tax commissioner, and this shall be considered a compliance with the law in his particular case.

(Signed) S. R. Glenn,
J. Mack Thompson,
B. M. Taylor,
Tom Spurrier,
S. D. Laughlin,
Leroy S. Bonta.

Mr. Claude M. Thomas moved that said joint conference committee's report be adopted.

Said motion was agreed to.

Said report was adopted.

The yeas and nays being taken on the final passage of House Bill No. 138, as amended by the Senate, and joint conference committee's report, in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	A. S. Cooper	J. S. Hall
Chas. Ashby	W. P. Cropper	L. B. Hamilton
B. S. Bailey	James S. Cruse	E. C. Hardin
J. H. Ballard	A. A. Demunbrun	B. H. Harris
Robert Bays	H. L. Dixon	David J. Howard
B. C. Beckmann	W. G. Dycus	Joe Huddleston
Leroy Bonta	F. A. Easterling	A. R. Hudson
J. L. Bradford	J. M. Elliston	Chas. L. Hunter
O. V. Brown	I. H. Gabbard	J. W. Johnson
R. J. Cain	Lark Garnett	Leslie P. Jones
T. L. Caudel	M. E Gilbert	W. H. Jones
John Cook	W. H. Hager	W. F. Klair

H. A. Knollmann	H. C. McGehee	Ben Street
S. D. Laughlin	S. Lee McGohan	John W. Swope
Joseph Lazarus	W. B. O'Bannon	Claude M. Thomas
M. E. Lee	W. F. Paris	Elmore Thomas
J. E. Lilly	Luther Pieratt	John B. Thomas
Harry J. Meyers	Richard Radcliffe	Geo. F. Thompson
Clarence Miller	H. C. Rice	W. F. Trusty
Claude D. Minor	Avery Sartin	J. Wood Vance
S. H. Moore	Joe Schneider	G. C. Waggoner
Ryland C. Musick	Claude B. Smith	G. Frank Walthal
A. J. McCandless	T. J. Smith	W. N. Winn
W. P. McDonogh	Thomas Spurrier	E. G. Young

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Mr. Claude M. Thomas, of the Committee on Rules, moved that the rules be suspended and that House Resolution No. 36 be now taken up for consideration and adoption.

Said motion was agreed to.

Said resolution reads as follows, viz.:

H. Res. 36. Joint resolution providing for the payment of the expenses of a committee appointed to investigate the matter of the removal of the State Board of Health.

Whereas, the House of Representatives has, heretofore, appointed a committee of its members to serve as an investigating committee, in the matter of the proposed removal of the State Board of Health from Bowling Green, Ky., and

Whereas, said committee has completed its labors and made its report to this body,

Whereas, it was necessary for said committee to incur, and said committee did incur, certain expenses such as railroad fare and hotel bills, in the progress of such investigation; therefore,

Be it resolved by the House of Representatives of the General Assembly, the Senate concurring: That said committee be reimbursed for the amount of such expenses so incurred by them, viz.: $39.78, and the Auditor of Public Accounts be, and he is hereby authorized and directed to draw his warrant upon the Treasurer of the Commonwealth in favor of Ben S. Street, chairman of said committee, to be paid out of the funds now in the treasury of this Commonwealth.

Mr. Claude M. Thomas moved that said resolution be adopted.

The yeas and nays being taken on the adoption of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	J. C. Davis	H. A. Knollmann
B. S. Bailey	Harry Dill	W. T. Lasley
L. D. Baldauf	H. L. Dixon	S. D. Laughlin
J. H. Ballard	W. G. Dycus	J. E. Lilly
Robert Bays	J. M. Elliston	Harry J. Meyers
W. T. Beckham	I. H. Gabbard	Clarence Miller
B. C. Beckmann	Lark Garnett	Claude D. Minor
Leroy Bonta	M. E Gilbert	S. H. Moore
O. V. Brown	W. H. Hager	Ryland C. Musick
R. J. Cain	L. B. Hamilton	A. J. McCandless
T. L. Caudel	E. C. Hardin	W. P. McDonogh
H. C. Chappell	B. H. Harris	H. C. McGehee
Everett Cobb	David J. Howard	S. Lee McGohan
John Cook	A. R. Hudson	W. B. O'Bannon
A. S. Cooper	J. W. Johnson	W. F. Paris
Fred Cornelius	Leslie P. Jones	Luther Pieratt
W. P. Cropper	W. H. Jones	Ote Piper
James S. Cruse	W. F. Klair	Richard Radcliffe

Joe Schneider	Claude M. Thomas	W. F. Trusty
Claude B. Smith	Elmore Thomas	J. Wood Vance
R. T. Smith	John B. Thomas	G. C. Waggoner
T. J. Smith	Geo. F. Thompson	G. Frank Walthal
Thomas Spurrier	J. T. Thornton	W. N. Winn
John W. Swope	S. G. Thornberry	E. G. Young

—72

There voted in the negative—

H. C. Rice —1

And so said resolution was adopted.

Mr. Claude M. Thomas, of the Committee on Rules, moved that the rules be suspended and that Senate Resolution No. 23 be now taken up for consideration.

Said motion was agreed to.

Said resolution reads as follows, viz.:

S. Res. 23. A resolution commending the work of the Federal Fuel and Federal Food Administrators for the State of Kentucky.

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the General Assembly of the State of Kentucky, fully mindful of the loyal devotion and untiring energy of Wiley B. Bryan, Federal Fuel Administrator, and Frederick M. Sackett, Federal Food Administrator, in the service of the nation and state, do, in the name of the people of Kentucky, extend thanks to these officials who, without pay and moved solely by their desire to serve their country, have been vigilant, unremitting and wise in their labors so to conserve and distribute the fuel and food supply under their direction as to make it possible for Kentucky to play a major part in

the administration of the affairs of the United States to the end that the war may be won and that Christianity and its product, modern civilization, be preserved to posterity.

Said resolution was adopted.

Mr. Claude M. Thomas, of the Committee on Rules, moved that the rules be suspended and that Senate Resolution No. 22 be now taken up for consideration.

Said motion was agreed to.

Said resolution reads as follows, viz.:

S. Res. 22. Joint resolution directing the Commissioner of Agriculture to make an immediate investigation of the hemp market, and to report his findings to the Governor.

Whereas, the farmers of Kentucky did materially increase their acreage of hemp during the year 1917, in response to the call of the national government, so that there would be an ample supply of this fibre for use in the construction of ships and for the many other uses to which it is essential, and as a result of said increase now have on hand a large crop of hemp produced at great cost, and

Whereas, this crop of hemp is now ready to be sold and delivered, but no bids or offers for same are being made, or at least being made at a quotation consistent with the price of other fibres, although the apparent demand therefor is just as great if not greater than in 1917, and the prices being paid for other fibres having been greatly increased, and the reason for this lack of demand for hemp and cause of this unusual and anomalous condition of the hemp market seems to be unknown to every one and perplexing to all, and

Whereas, the farmers of this State are entitled to know the reason for this abnormal condition of the hemp market and the cause for this absence of demand under the present conditions; now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

First. That the Commissioner of Agriculture of this Commonwealth be, and he is hereby, directed to make an immediate investigation of the hemp market for the purpose of ascertaining the present cause of the lack of demand for hemp and the reason for the present abnormal market conditions of said product.

Second. That he shall complete said examination and investigation as speedily as possible, and shall report the result thereof and the conclusions reached to the Governor in a written report, and shall at the same time give a copy thereof to the press.

Third. That if he should find evidence indicating that the aforesaid condition of the hemp market is due to or the result of any agreement, understanding, or conspiracy between any persons, firms, partnerships, or corporations, in violation of the statutes pertaining to trusts, pools, or conspiracies, he shall immediately report same to the Attorney General, who shall proceed to prosecute or cause to be prosecuted any one guilty of such an infraction of the law.

Said resolution was adopted.

Mr. Claude M. Thomas, of the Committee on Rules, moved that the rules be suspended and that Senate Resolution No. 17 be now taken up for consideration.

Said motion was agreed to.

Said resolution reads as follows, viz.:

S. Res. 17. Joint resolution allowing Nat. M. Elliott the sum of $50.00 for services rendered the Probe Committee.

Whereas, in the work incident to the duties assigned to the Probe Committee by the joint resolution in the prepara-

tion of its report and of the bills reported by it, said committee obtained the services of Nat M. Elliott, stenographer, and in the judgment of said committee his services were reasonably worth the sum of fifty ($50.00) dollars; now, therefore,

Be it resolved, the House and Senate concurring: That said Nat. M. Elliott be and he is hereby allowed the sum of fifty ($50.00) dollars for services rendered the Probe Committee, and the Auditor of Public Accounts is directed to draw his warrant payable to the said Nat. M. Elliott for the sum of fifty ($50.00) dollars upon the treasurer of the State of Kentucky, and said treasurer is directed to pay said warrant on presentation of said warrant.

The yeas and nays being taken on the adoption of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	H. L. Dixon	W. F. Klair
Chas. Ashby	W. G. Dycus	H. A. Knollmann
B. S. Bailey	F. A. Easterling	W. T. Lasley
L. D. Baldauf	J. M. Elliston	S. D. Laughlin
J. H. Ballard	I. H. Gabbard	Joseph Lazarus
A. L. Baldwin	Lark Garnett	Harry J. Meyers
W. T. Beckham	M. E Gilbert	Clarence Miller
B. C. Beckmann	W. H. Hager	Claude D. Minor
Leroy Bonta	L. B. Hamilton	S. H. Moore
J. L. Bradford	E. C. Hardin	John T. Murphy
T. L. Caudel	B. H. Harris	Ryland C. Musick
H. C. Chappell	David J. Howard	A. J. McCandless
John Cook	A. R. Hudson	W. P. McDonogh
A. S. Cooper	Chas. L. Hunter	H. C. McGehee
Fred Cornelius	J. W. Johnson	S. Lee McGohan
W. P. Cropper	Leslie P. Jones	W. B. O'Bannon
James S. Cruse	W. H. Jones	W. F. Paris

Luther Pieratt	Ben Street	J. Wood Vance
Ote Piper	John W. Swope	G. C. Waggoner
H. C. Rice	Claude M. Thomas	G. Frank Walthal
Avery Sartin	Elmore Thomas	W. N. Winn
Joe Schneider	John B. Thomas	E. G. Young
Claude B. Smith	Geo. F. Thompson	
R. T. Smith	W. F. Trusty	—70

And so said resolution was adopted.

Mr. Claude M. Thomas, of the Committee on Rules, called up for consideration from the Clerk's desk a resolution of the following title, viz.:

H. Res. 34. Resolution for the benefit of the Clerks of the House and Senate.

(For said resolution see House Journal March 12, 1918.)

The yeas and nays being taken on the adoption of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	A. S. Cooper	W. H. Hager
B. S. Baney	Fred Cornelius	J. S. Hall
J. H. Ballard	W. F. Cropper	E. C. Hardin
A. L. Baldwin	James S. Cruse	B. H. Harris
W. T. Beckham	J. C. Davis	Chas. L. Hunter
B. C. Beckmann	A. A. Demumbrun	J. W. Johnson
H. V. Bell	Harry Dill	Leslie P. Jones
Leroy Bonta	W. G. Dycus	W. H. Jones
W. P. Bowman	F. A. Easterling	W. F. Klair
O. V. Brown	J. M. Elliston	H. A. Knollmann
R. J. Cain	I. H. Gabbard	S. D. Laughlin
T. L. Caudel	Lark Garnett	Joseph Lazarus
John Cook	M. E Gilbert	J. E. Lilly

Harry J. Meyers	A. J. Oliver	John W. Swope
Clarence Miller	W. F. Paris	Claude M. Thomas
Claude D. Minor	Luther Pieratt	Elmore Thomas
S. H. Moore	Ote Piper	Geo. F. Thompson
John T. Murphy	Richard Radcliffe	J. Wood Vance
Ryland C. Musick	H. C. Rice	F. C. VanHoose
A. J. McCandless	Joe Schneider	G. C. Waggoner
W. P. McDonogh	Claude B. Smith	G. Frank Walthal
H. C. McGehee	R. T. Smith	W. N. Winn
H. C. McLellen	Thomas Spurrier	E. G. Young
W. B. O'Bannon	Ben Street	—71

And so said resolution was adopted.

Mr. Claude M. Thomas, of the Committee on Rules, called up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 412. An act requiring interurban railway companies operating in this Commonwealth to equip their passenger cars with bundle racks.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Every interurban railway company engaged in this Commonwealth in transporting passengers for hire shall equip all passengers cars operated in this Commonwealth with suitable and proper bundle racks. Said racks shall be placed on the sides of the cars at a convenient height above the seats occupied by passengers, and to be sufficient in size and of such design as will accommodate small packages and hand baggage.

§ 2. Any interurban railway company described above, which fails or refuses to equip its passenger cars with racks, as described and required in section 1, hereof, within thirty

days after this law becomes effective, shall be guilty of a misdemeanor and upon conviction shall be fined not less than twenty, nor more than fifty dollars for each offense, and each day said passenger cars shall be operated without installing the racks directed herein, shall constitute a separate offense.

Mr. Beckham offered the following amendment to said bill by way of substitute therefor, viz.:

An act requiring interurban railway companies operating in this Commonwealth to equip their passenger cars with bundle racks.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1. Every interurban railway company in this Commonwealth in transporting passengers for hire shall equip all passenger cars operated in this Commonwealth with suitable and proper bundle racks, and same shall be approved by the Kentucky Railroad Commission. Said racks shall be placed on the sides of the cars at a convenient height above the seats occupied by passengers, and be sufficient in size and of such design as will accommodate small packages and hand baggage; provided, that this law shall only apply to interurban lines twenty-five miles or more in length.

2. Any interurban railway company described above, which fails or refuses to equip its passenger cars with racks, as described and required in section 1 hereof, within six months after this law becomes effective, shall be guilty of a misdemeanor and upon conviction shall be fined not less than five, nor more than fifty dollars for each offense, and each day said passenger cars shall be operated without installing the racks directed herein, shall constitute a separate offense.

Said amendment by way of substitute was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended by way of substitute therefor, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	W. G. Dycus	J. E. Lilly
B. S. Bailey	F. A. Easterling	Harry J. Meyers
L. D. Baldauf	J. M. Elliston	Clarence Miller
J. H. Ballard	I. H. Gabbard	Claude D. Minor
A. L. Baldwin	Lark Garnett	S. H. Moore
Robert Bays	M. E Gilbert	John T. Murphy
W. T. Beckham	W. H. Hager	A. J. McCandless
B. C. Beckmann	J. S. Hall	W. P. McDonogh
H. V. Bell	L. B. Hamilton	H. C. McGehee
Leroy Bonta	E. C. Hardin	S. Lee McGohan
J. L. Bradford	B. H. Harris	H. C. McLellen
O. V. Brown	David J. Howard	W. B. O'Bannon
R. J. Cain	Joe Huddleston	A. J. Oliver
T. L. Caudel	A. R. Hudson	W. F. Paris
Everett Cobb	Chas. L. Hunter	Luther Pieratt
John Cook	J. W. Johnson	Richard Radcliffe
A. S. Cooper	Leslie P. Jones	H. C. Rice
Fred Cornelius	W. H. Jones	Avery Sartin
W. P. Cropper	W. F. Klair	Joe Schneider
James S. Cruse	H. A. Knollmann	Claude B. Smith
J. C. Davis	W. T. Lasley	R. T. Smith
A. A. Demunbrun	S. D. Laughlin	Ben Street
Harry Dill	Joseph Lazarus	John W. Swope
H. L. Dixon	M. E. Lee	Claude M. Thomas

Elmore Thomas	J. Wood Vance	T. R. Welch
John B. Thomas	F. C. VanHoose	W. N. Winn
Geo. F. Thompson	G. C. Waggoner	E. G. Young
S. G. Thornberry	G. Frank Walthal	—83

There voted in the negative—

R. T. Smith —1

Resolved, that the title thereof be as amended.

Mr. Claude M. Thomas moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Claude M. Thomas, of the Committee on Rules, called up for consideration from the orders of the day a bill entitled:

H. B. 354. An act to amend section 227 of the Constitution of the Commonwealth relating to removal of officers for misfeasance, malfeasance or neglect of duty.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That upon concurrence of three-fifths of all the members elected to each House of the General Assembly, the yeas and nays being taken thereon, and entered in full in their respective journals, that section 227 of the Constitution of the Commonwealth be stricken out, and there be and now is enacted in lieu thereof the following:

Judges of the county court, justices of the peace, coroners, assessors, and county attorneys shall be subject to indictment or prosecution for misfeasance, malfeasance in office

or willful neglect in the discharge of official duties, in such mode as may be prescribed by law. Sheriffs, jailers and constables and all peace officers shall likewise be subject to indictment or prosecution for the causes above named, and the General Assembly of the Commonwealth may, by general law, provide other manner or method of removal, and may also by general law, provide that for neglect of duty the office of sheriff, jailer, constable and all peace officers may be or become vacated and the manner and method of reinstatement of such officers. Provided, that in case of conviction of any officer named in this section, under indictemnt or prosecution, or in case any office be declared vacated the offcer shall have the right of appeal to the Court of Appeals.

The foregoing amendment shall be submitted to the voters of the state for their ratification or rejection at the time and in the manner provided for under section 256 of the Constitution of Kentucky, and section 1459, Kentucky Statutes, 1915 edition, and all and any other laws pertinent thereto.

Mr. Klair moved that said bill be recommitted to the Committee on Public Officers.

Said motion was agreed to.

Mr. Claude M. Thomas, of the Committee on Rules, called up for consideration from the orders of the day a bill entitled:

H. B. 33. An act to amend, repeal and re-enact section 5 of chapter 31 of the Acts of the General Assembly of 1916, which is an act for the protection of game, game birds and animals.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 5 of chapter 31 of the Acts of the General Assembly of 1916 be, and the same is, hereby repealed, and in lieu thereof the following is hereby enacted:

§ 5. Rabbits.—No person shall, between the first day of March and the 14th day of November, both days inclusive, in any year, catch, kill, injure or pursue with such intent, any rabbit, provided, however, the provisions of this section shall not be construed to prevent the owners of any land, the members of his family, his tenant or the members of his family, or any laborer or employe of such land owner or tenant from so catching, killing, injuring or pursuing with such intent upon their own premises any rabbit for personal consumption or to protect his or their growing crops, garden or orchards from injury or destruction.

Mr. Meyers offered the following amendment to said bill, viz.:

Amend section 5 by striking out the words "or any laborer or employe," in line nine.

Said amendment was disagreed to.

Mr. Klair offered the following amendment to said bill, viz.:

Amend section 5 by inserting in line four the word January for the word March.

Said amendment was adopted.

Mr. Caudel offered the following amendment to said bill, viz.:

Amend House Bill No. 33 by striking out the words "for personal consumption or" where they occur in lines ten and eleven.

Said amendment was disagreed to.

Mr. Ballard offered the following amendment to said bill, viz.:

Amend section 5 by inserting in line ten, after "catching," the following words, "in traps or snares or with dogs."

Said amendment was disagreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of the said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	Joe Huddleston	Lilburn Phelps
B. S. Bailey	Leslie P. Jones	Ote Piper
Leroy Bonta	W. H. Jones	Richard Radcliffe
R. J. Cain	S. D. Laughlin	Avery Sartin
T. L. Caudel	Joseph Lazarus	T. J. Smith
Fred Cornelius	J. E. Lilly	Thomas Spurrier
J. C. Davis	Claude D. Minor	Claude M. Thomas
A. A. Demunbrun	S. H. Moore	John B. Thomas
H. L. Dixon	John T. Murphy	Geo. F. Thompson
F. A. Easterling	Ryland C. Musick	S. G. Thornberry
I. H. Gabbard	A. J. McCandless	W. F. Trusty
M. E Gilbert	H. C. McGehee	J. Wood Vance
L. B. Hamilton	A. J. Oliver	F. C. VanHoose
E. C. Hardin	W. F. Paris	—41

Those who voted in the negative were—

J. H. Ballard	Lark Garnett	Harry J. Meyers
A. L. Baldwin	W. H. Hager	W. P. McDonogh
W. T. Beckham	J. S. Hall	Luther Pieratt
B. C. Beckmann	A. L. Hamilton	H. C. Rice
W. P. Bowman	B. H. Harris	Joe Schneider
J. L. Bradford	David J. Howard	R. T. Smith
O. V. Brown	A. R. Hudson	Ben Street
Everett Cobb	Chas. L. Hunter	John W. Swope
A. S. Cooper	J. W. Johnson	Elmore Thomas
W. P. Cropper	Griffin Kelly	G. C. Waggoner
James S. Cruse	W. F. Klair	G. Frank Walthal
Harry Dill	H. A. Knollmann	T. R. Welch
J. M. Elliston	M. E. Lee	W. N. Winn

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Resolved, that the title thereof be as aforesaid.

Mr. Claude M. Thomas moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Claude M. Thomas moved that the House do now recess until two o'clock p. m.

Said motion was agreed to.

AFTERNOON SESSION.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

B. S. Bailey	Robert Bays	Leroy Bonta
L. D. Baldauf	W. T. Beckham	W. P. Bowman
J. H. Ballard	B. C. Beckmann	J. L. Bradford
A. L. Baldwin	H. V. Bell	O. V. Brown

R. J. Cain	Joe Huddleston	Ote Piper
T. L. Caudel	A. R. Hudson	Richard Radcliffe
H. C. Chappell	J. W. Johnson	H. C. Rice
Everett Cobb	Leslie P. Jones	Avery Sartin
John Cook	W. H. Jones	Joe Schneider
A. S. Cooper	W. F. Klair	R. T. Smith
Fred Cornelius	H. A. Knollmann	T. J. Smith
W. P. Cropper	W. T. Lasley	Thomas Spurrier
James S. Cruse	S. D. Laughlin	Ben Street
J. C. Davis	Joseph Lazarus	John W. Swope
A. A. Demunbrun	M. E. Lee	Claude M. Thomas
H. L. Dixon	J. E. Lilly	Elmore Thomas
W. G. Dycus	Harry J. Meyers	John B. Thomas
F. A. Easterling	Clarence Miller	Geo. F. Thompson
J. M. Elliston	S. H. Moore	J. T. Thornton
L. L. Embry	John T. Murphy	S. G. Thornberry
I. H. Gabbard	Ryland C. Musick	W. F. Trusty
Lark Garnett	A. J. McCandless	J. Wood Vance
M. E. Gilbert	W. P. McDonogh	F. C. VanHoose
W. H. Hager	S. Lee McGohan	G. C. Waggoner
J. S. Hall	W. B. O'Bannon	G. Frank Walthal
L. R. Hamilton	T. P. Oliver	T. R. Welch
E. C. Hardin	W. F. Paris	W. N. Winn
R. H. Harris	Lilburn Phelps	E. G. Young
David J. Howard	Luther Pieratt	—86

Mr. Claude M. Thomas moved that the session be extended indefinitely.

Said motion was agreed to.

Mr. Claude M. Thomas, of the Committee on Rules, moved that the rules be suspended and that House Resolution 37, which had been referred to said committee, be now taken up for consideration.

Said motion was agreed to.

Said resolution reads as follows, viz.:

H. Res. 37. Resolution in favor of Edward L. Allen, G Frank Walthal, A. F. Hanberry and S. F. Day.

Whereas, S. F. Day instituted a contest against Edward L. Allen before the House of Representatives, contesting the seat of said Allen as Representative from the 97th Legislative District of Kentucky, said district being composed of Knott, Floyd and Letcher, and,

Whereas, A. F. Hanberry has likewise instituted a contest against G. Frank Walthal before the House of Representatives, contesting the seat of said Walthal as Representative from Trigg county, it being the 8th Legislative District of Kentucky, and,

Whereas, the contests having been determined by the House of Representatives in favor of said Walthal and said Allen, and it has ben heretofore adjudged that said Walthal and Allen were the duly elected representatives from the 8th and 97th Legislative Districts, respectively, and,

Whereas, in defending the said contests, the contestee, G. Frank Walthal has expended sums in the following amounts, to-wit: depositioned, $10.00; traveling expenses and livery hire, $5.00; and,

Whereas, it appears in defending said contest, the contestee, Edward L. Allen has expended sums in the following amounts, to-wit: railroad fare and hotel bills of W. W. Williams, attorney for contestee, Edward L. Allen and contestee, from Prestonburg to Frankfort and return, $40.00; hotel bill, railroad fare, livery hire and expenses of A. J. May, W. P. Mayo, W. W. Williams, S. J. Kilgore and Edward L. Allen, in attending the taking of depositions and the examination of witnesses and preparation of testimony in the counties of Knott, Letcher and Floyd, $55.00; and,

Whereas, it became necessary for contestants and contestees to employ attorneys to represent each of them in the preparation and hearing of said contests, the said attorneys preparing the notice of contest and all other legal papers required and attending to the taking of depositions, the preparation of evidence and the hearing of the contest before the Contest Committee; and,

Whereas, it appears that the contestee, Edward L. Allen, has incurred an attorney's fee of $300.00, and the contestant, S. F. Day has incurred an attorney's fee of $100.00, and the contestee, G. Frank Walthal, has incurred an attorney's fee of $250.00, and the contestant, A. J. Hanberry, has incurred an attorney's fee of $100.00; and,

Whereas, it appears that the attorneys fees of each of the parties to these contests are reasonable and proper for the services of the attorneys for said contestants and contestees, now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the sum of $395.00, being the cost, expense and attorney's fee of Edward L. Allen, above mentioned, be, and it is, hereby allowed to Edward L. Allen; and that the sum of $265.00, being the attorney's fee, cost and expense of G. Frank Walthal, as above mentioned, be, and it is, hereby allowed to G. Frank Walthal; and that the sum of $100.00, being the attorney's fee of the contestant, A. F. Hanberry, be, and it is, hereby allowed to A. F. Hanberry; and that the sum of $100.00, being the attorney's fee of S. F. Day, be, and it is, hereby allowed to S. F. Day; all of said sums above mentioned being allowed on account of said contests, and,

Be it further resolved, that the Auditor of Public Accounts of the Commonwealth of Kentucky be, and he is, hereby directed to draw his warrant on the State Treasurer for the sum of $395.00 in favor of Edward L. Allen; and for the

sum of $265.00, being the sum in favor of G. Frank Wathal; and for the sum of $100.00 in favor of A. F. Hanberry; and for the sum of $100.00 in favor of S. F. Day.

(Signed) T. R. Welch, Chairman,
W. B. O'Bannon
B. S. Street,
S. Lee McGohan,
T. P. Oliver,
Lewis Ryans,
J. S. Cruse.

Mr. Claude M. Thomas moved that said resolution be adopted.

The yeas and nays being taken on the adoption of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	I. H. Gabbard	Clarence Miller
B. S. Bailey	Lark Garnett	Claude D. Minor
L. D. Baldauf	W. H. Hager	S. H. Moore
J. H. Ballard	L. B. Hamilton	John T. Murphy
Robert Bays	B. H. Harris	W. P. McDonogh
B. C. Beckmann	David J. Howard	H. C. McGehee
H. V. Bell	A. R. Hudson	S. Lee McGohan
W. P. Bowman	Chas. L. Hunter	W. B. O'Bannon
J. L. Bradford	J. W. Johnson	A. J. Oliver
T. L. Caudel	Leslie P. Jones	T. P. Oliver
A. S. Cooper	W. H. Jones	W. F. Paris
W. P. Cropper	W. F. Klair	Lilburn Phelps
James S. Cruse	H. A. Knollmann	Luther Pieratt
A. A. Demunbrun	S. D. Laughlin	Ote Piper
Harry Dill	Joseph Lazarus	Richard Radcliffe
W. G. Dycus	M. E. Lee	Joe Schneider
J. M. Elliston	J. E. Lilly	R. T. Smith
L. L. Embry	Harry J. Meyers	T. J. Smith

Ben Street	J. T. Thornton	T. R. Welch	
John W. Swope	W. F. Trusty	W. N. Winn	
Claude M. Thomas	J. Wood Vance	E. G. Young	
Elmore Thomas	F. C. VanHoose		
John B. Thomas	G. C. Waggoner		—67

Those who voted in the negative were—

John Cook	H. C. Rice	S. G. Thornberry	—3

And so said resolution was adopted.

Mr. Claude M. Thomas, of the Committee on Rules, called up for consideration from the orders of the day a bill entitled:

H. B. 310. An act to amend sections 2, 14 and 19, to repeal and re-enact subsection 21, and subsection 22 of section 24, and to amend section 28 of chapter 19 of the Acts of 1916, entitled an act creating the State Insurance Board, to supervise the operation of fire insurance rate-making bureaus and providing for their examinations, prohibiting rebating and discrimination in fixing and collecting fire insurance rates; requiring companies to maintain and co-operate in maintaining and operating rate making bureaus, requiring inspection and survey by such bureaus of all risks specifically rated, and regulating agreements between insurance companies and their insurers with respect to fixing and collecting fire insurance rates; prescribing the power of fire insurance companies; providing for agents' license and qualifications; protecting against fire insurance in unauthorized companies; providing for the prevention of fire waste and for the establishment of the office of State Fire Marshal, fixing salaries and expenditures and prescribing duties; prohibiting over-insurance; providing for, organizing and regulating certain kinds of insurance upon the mutual, reciprocal or inter-insurance plan, em-

powering corporations to participate therein; providing penalties for violation; providing conditions under which insurance may be effected upon the Lloyd's plan, and penalty for violation thereof, and repealing existing statutes, and to make sections 14 and 19 of said act applicable to stock casualty insurance companies and their agents.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section two of an act entitled "an act creating the State Insurance Board, to supervise the operation of fire insurance rate-making bureaus and providing for their examinations, prohibiting rebating and discrimination and fixing and collecting fire insurance rates; requiring companies to maintain and co-operate in maintaining and operating rate-making bureaus, requiring inspection and survey by such bureaus of all risks specifically rated, and regulating agreements between insurance companies and their insurers with respect to fixing and collecting fire insurance rates; prescribing the power of fire insurance companies; providing for agents' license and qualification; protecting against fire insurance in unauthorized companies; providing for the prevention of fire waste and for the establishment of the office of State Fire Marshal; fixing salaries and expenditures and prescribing duties; prohibiting over-insurance; providing for, organizing and regulating certain kinds of insurance upon the mutual, reciprocal or inter-insurance plan, empowering corporations to participate therein; providing penalties for violation; providing conditions under which insurance may be effected upon the Lloyd's plan, and penalty for violation thereof, and repealing existing statutes;" the same being chapter nineteen of the acts of the General Assembly of the Commonwealth of Kentucky, which was approved March 15, 1916, be, and the same is, hereby amended by striking out,

immediately after the words "shall be," in the sixteenth line of the said section the following words: "Paid out of the insurance fund by warrant of the Auditor upon vouchers signed by the chairman and countersigned by the secretary of the said board. The total of all such salaries and expenses is hereby limited to a sum equal to one-half per centum upon taxable premiums of fire insurance companies, other than domestic companies, upon which taxes are paid to the Commonwealth, which shall be in addition to the two per centum provided for by law," and by inserting in lieu thereof the following words: "Defrayed by fire insurance companies, other than domestic companies, doing business in this state, and a tax of one-half of one per centum on all premiums and assessments—less return premiums on cancelled policies and premiums paid for re-insurance in companies authorized to transact business in this Commonwealth—received by such companies in or out of this state on business done in this state during each year ending on the 31st day of December, is hereby levied on such companies for the purpose of paying all expenses of said board, as authorized by this act. The said tax shall be collected by the insurance commissioner and paid into the state treasury at the time and in the manner that other premium taxes are collected from such companies and the said tax shall be in addition to all other taxes now required to be paid by such companies; and the payment of all such expenses shall be made by warrant of the auditor upon vouchers signed by the chairman and countersigned by the secretary of said board. The total of all salaries and expenses of the said boad in any one calendar year shall not exceed the taxes collected for the maintenance of the board for that year," so that the said section, when amended, shall read as follows:

"No. 2. The Attorney General shall appoint an attorney, who shall hold office during his pleasure, and shall fix his compensation, which shall not exceed the sum of three thou-

sand ($3,000.00) dollars annually. The appointment, removal and compensation of said attorney shall be subject to the approval of the Governor. Said attorney shall represent said board in all legal matters. The board shall employ clerical help, experts, inspectors and all such other assistants and fix their compensation, and may incur such other expenses as may be necessary in the performance of their duties. The salaries and all necessary expenses of the members of said board and of its attorney, and the salaries and necessary expenses of all employes and all other expenses shall be defrayed by fire insurance companies, other than domestic companies, doing business in this state, and a tax of one-half of one per centum of all premiums and assessments—less return premiums on cancelled policies and premiums paid for re-insurance in companies authorized to transact business in this Commonwealth—received by such companies in or out of this state on busines done in this state during each year ending on the 31st day of December, is hereby levied on such companies for the purpose of paying all expenses of said board, as authorized by this act. The said tax shall be collected by the insurance commissioner and paid into the state treasury at the time and in the manner that other premium taxes are collected from such companies and the said tax shall be in addition to all other taxes now required to be paid by such companies; and the payment of all such expenses shall be made by warrant of the auditor upon vouchers signed by the chairman and countersigned by the secretary of said board. The total of all salaries and expenses of said board in any one calendar year shall not exceed the taxes collected for the maintenance of the board for that year. The offices of said board are fixed in the same offices as those of the commissioner and all the records shall be kept therein. Regular meetings of the board shall be held in said offices at two stated times in each month and at other times as ordered by the board, and special meetings may be held at such times and places as the board may determine. The clerical force of said

board and said commissioner shall be jointly employed and their services be used for the work of both of said offices. There shall also be paid twelve thousand eight hundred dollars to secure the clerical force and acturial assistance necessary to the discharge of all of the duties devolving by law on the insurance department proper or on the insurance commissioner. The salaries and expenses provided for shall be paid monthly out of the insurance fund in the same manner as other salaries and expenses are paid by warrant of the auditor upon vouchers signed by the commissioner."

§ 2. That section fourteen of the said act be, and the same is, hereby amended by inserting immediately after the word "company," in the second line from the bottom of the said section the following words: "or a stock casualty company," so that said section, when amended, shall read as follows:

"No. 14. Before a license is issued to any insurance agent, other than a renewal of the existing license, the company shall file with the insurance commissioner, with the application for such agent's license, a statement signed by the proposed agent on a form prescribed and furnished by the commissioner, that he will not rebate any part of the premium or commission or offer any valuable consideration as an inducement to take insurance other than that clearly expressed in the policy, and if he signs policies, that he will maintain an office within this Commonwealth and keep therein at all times, a complete, permanent record of all applications for and policies of insurance placed by or through him and will not sign any policies in blank to be issued outside of his office, which statement shall also contain such other information as may be required by the commissioner Such license shall not be issued until the commissioner shall satisfy himself that such proposed agent intends to hold himself out in good faith as an insurance agent, is a person of good moral character, and a proper person to be so licensed, and, if the

application is for a license as an agent for a stock fire insurance company or a stock casualty company, that he is a *bona fide* resident of this Commonwealth."

§ 3. That section nineteen of the said act be, and the same is, hereby amended by inserting immediately after the word "no," in the first line of said section the words "fire or casualty," so that said section, when so amended, shall read as follows:

"No. 19. No fire or casualty insurance company nor any agent, in connection with placing or attempting to place insurance, shall pay, allow or give, or offer to pay, allow or give, nor shall any person receive, any rebate of premium on a policy, or any special advantage in dividends or other benefits, paid employment or contracts of service, or any valuable consideration, or inducement whatever, not specified in the policy, or give, sell or purchase, or offer to give, sell or purchase, in connection with placing or attempting to place insurance, anything of value whatsoever not specified in the policy.

"Provided, this section shall not prevent (1) a licensed agent of this Commonwealth from dividing commissions with any agent of this Commonwealth licensed to write the same kind of insurance, or with a non-resident insurance agent or any authorized insurance company as to the insurance upon property owned by non-residents or upon property located outside of this Commonwealth; (2) the distribution of savings, earnings or surplus uniformily among a class of policy holders; (3) the furnishing of information, advice or services for the purpose of reducing the loss or liability to loss.

"Notwithstanding any violation of this section, the policy shall be valid, but the insured having knowingly and wilfully violated any provision of this section shall suffer such proportionate reduction in any recovery on the policy as the value of the rebate bears to the premium on the policy. Such

reduction shall be paid by the company into the state school fund."

§ 4. That subsection twenty-one of section twenty-four of said act be, and the same is, hereby repealed and re-enacted so as to read as follows:

"Subsection 21. Mutual insurance companies not incorporated under any law of this state, upon complying with the provisions of law applicable to such companies, may be authorized by the insurance commissioner to transact business in this state when solvent, and when each of such companies shall have complied with the following requirements:

"(a) Filed with the insurance commissioner a duly certified copy of the charter and articles of association.

"(b) Paid the fees and licenses provided for in section 761, Kentucky Statutes.

"(c) Filed with the insurance commissioner a copy of its bylaws certified to by its secretary.

"(d) Appointed the insurance commissioner as a person upon whom process may be served, which when so served shall be of the same force and effect as if served upon the company. This authority shall continue in force so long as liability remains outstanding in this Commonwealth.

"(e) Filed a certificate of the insurance commissioner of the state in which it is incorporated that said company is organized and authorized to do the business upon the mutual plan in said state.

"(f) Filed a financial statement, under oath, in such form as may be required by the commissioner, and have complied with other provisions of law applicable to the filing of papers by and the audit and inspection of stock companies transacting the same kind of insurance, and all other laws of this Commonwealth applicable to mutual insurance companies.

"Whenever such company shall have been granted a certificate of authority to transact business in this state the commissioner shall, upon the application of such company in conformance with the provisions of section fourteen of this act, issue to such agents as the company directs—if proper persons to be licensed—a license under the seal of the insurance department to transact business as agent for such company. All licenses to agents must be renewed annually, upon the renewal of the certificate of authority to said company, in the manner provided in this act. When legal process against any such corporation is served upon said insurance commissioner, he shall immediately notify the company of such service by registered letter, prepaid and directed to its home office, or to such officer or authorized representative as the company may direct, and enclose copy of the process served on him. The plaintiff in such process so served shall pay the insurance commissioner at the time of such service a fee of $2.00, which shall be recovered by him as a part of the taxable cost if he prevails in the suit. The insurance commissioner shall keep a record of all processes served upon him, which record shall show the day and hour when such service was made."

§ 5. That subsection twenty-two of section twenty-four of said act be, and the same is, hereby repealed and re-enacted so as to read as follows:

"Subsection 22. Nothing in this section shall be construed as repealing any existing statutes or provisions of law not herein expressly repealed or in conflict herewith. The business affairs and assets of mutual companies authorized to transact business in this Commonwealth under this act shall be subject to examination by the insurance commissioner at the expense of such companies in accordance with the provisions of section 752, Kentucky Statutes."

§ 6. That section twenty-eight of said act be, and the same is, hereby amended by striking out immediately after the word "be," at the end of the ninth line, all of the re-

mainder of the said section, and inserting in lieu thereof the following words: "Defrayed by the fire insurance companies, corporations, associations, aggregations and underwriters doing business in the state of Kentucky, and a tax of one-half of one per centum of all premiums and assessments—less return premiums—received by such insurers in or out of this state on business done in this state during each year ending on the 31st day of December, including premiums received by both fire and casualty companies, corporations, aggregations or underwriters, on policies covering fire risks on automobiles, is hereby levied on such companies, corporations, associations, aggregations and underwriters for the purpose of maintaining the office of State Fire Marshal and paying the salaries and expenses incident thereto. The said tax shall be collected by the insurance commissioner and paid into the state treasury at the time and in the manner that other premium taxes are collected from such insurers, and the said tax shall be in addition to all other taxes now required to be paid by such companies, corporations, associations, aggregations and underwriters; and payment of all salaries and expenses of said office shall be made by warrant of the auditor upon the certificate of the State Fire Marshal, but the total of all such salaries and expenses of said office in any one calendar year shall not exceed the taxes collected for the expenses of the office for that year," so that the said section, when amended, shall read as follows:

"No. 28. The State Fire Marshal shall appoint a chief deputy and such other deputies, clerks and assistants as he may find necessary, to hold at his pleasure, and shall fix from time to time their duties and compensation. The Fire Marshal shall keep his office with the commissioner and shall be provided by the Commonwealth with office rooms, fuel and light. All salaries and expenses of conducting the office of the State Fire Marshal shall be defrayed by the fire insurance companies, corporations, associations, aggregations and un-

derwriters doing business in the state of Kentucky, and a tax of one-half of one per centum of all premiums and assessments—less return premiums—received by such insurers in or out of this state on business done in this state during each year ending on the 31st day of December, including premiums received by both fire and casualty companies, corporations, associations, aggregations or underwriters, on policies covering fire risks on automobiles, is hereby levied on such companies, corporations, associations, aggregations and underwriters for the purpose of maintaining the office of State Fire Marshal and paying the salaries and expenses incident thereto. The said tax shall be collected by the insurance commissioner and paid into the state treasury at the time and in the manner that other premium taxes are collected from such insurers, and the said tax shall be in addition to all other taxes now required to be paid by such companies, corporations, associations, aggregations and underwriters; and payment of all salaries and expenses of said office shall be made by warrant of the auditor upon the certificate of the State Fire Marshal, but the total of all such salaries and expenses of said office in any one calendar year shall not exceed the taxes collected for the expense of the office for that year."

Mr. Street offered the following amendment to said bill, viz.:

Amend House Bill No. 310, section 14, page 6, line 23, after the words "stock casualty company" add the following words: "except an agent writing only steam boiler or fly wheel insurance."

Said amendment was adopted.

Mr. Minor offered the following amendment to said bill, viz.:

Amend House Bill No. 310 as follows:

Strike out all of lines 49, 50, 51, 52, 53 and to period in line 54, on page four of printed bill and insert in lieu thereof the following:

"No. 2. The Attorney General and his assistants shall represent said board in all legal matters."

Mr. Waggoner offered the following amendment to said bill, viz.:

Amend House Bill No. 310 by inserting in section 6, page 10, line 23, after the word "underwriters" the words "other than domestic companies, domestic mutual associations and domestic co-operative and reciprocal companies."

Mr. Musick offered the following amendment to said bill, viz.:

Amend House Bill No. 310 by adding thereto the following paragraph and the following words:

"Provided, that no provision of this act shall affect co-operative or assessment fire insurance companies organized under the laws of this State."

Mr. Murphy offered the following amendment to said bill, viz.:

Amend House Bill No. 310 by striking out all words beginning at section No. 2 in line 49 and including line 49 to the end of sentence in line 54. And strike out in line 58 after the word "board" the following: "and of its attorney."

Mr. L. B. Hamilton moved that said bill and all pending amendments be laid on the table.

Said motion was agreed to.

Mr. Claude M. Thomas moved that the vote by which said bill and amendments thereto were laid on the table be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Claude M. Thomas, of the Committee on Rules, presented to the House the joint conference committee's report relating to House amendments proposed to Senate Bill No. 137.

Said report reads as follows, viz.:

Report of Conference Committee on Senate Bill 137.

The undersigned Conference Committee appointed by the President of the Senate and the Speaker of the House to consider House amendments to Senate Bill No. 137, in which the Senate has refused to concur, respectfully submit the following report.

Amendment No. 1.

It is the unanimous opinion of this committee that the House recede from its position as to this amendment, as we recommend that the House recede therefrom.

Amendment No. 2.

The committee is of the same opinion as to this amendment and recommends that the House recede therefrom.

Amendment No. 3.

The committee is of the same opinion as to this amendment and recommends that the House recede therefrom.

(Signed) Robert Antle,
S. R. Glenn,
Frank Rives,
A. J. Oliver,
H. V. Bell,
Lilburn Phelps.

Mr. Claude M. Thomas moved that said report be adopted.

Said motion was agreed to.

Said report was adopted.

The question then being taken on the final passage of Senate Bill No. 137, in accordance with said report, and the yeas and nays being taken on the final passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	Everett Cobb	M. E Gilbert
L. D. Baldauf	John Cook	W. H. Hager
J. H. Ballard	A. S. Cooper	A. L. Hamilton
A. L. Baldwin	W. P. Cropper	L. B. Hamilton
Robert Bays	James S. Cruse	E. C. Hardin
W. T. Beckham	J. C. Davis	David J. Howard
B. C. Beckmann	A. A. Demunbrun	Joe Huddleston
H. V. Bell	Harry Dill	A. R. Hudson
Leroy Bonta	H. L. Dixon	Chas. L. Hunter
W. P. Bowman	W. G. Dycus	J. W. Johnson
J. L. Bradford	J. M. Elliston	Leslie P. Jones
O. V. Brown	L. L. Embry	W. H. Jones
R. J. Cain	T. H. Gabbard	W. F. Klair
T. L. Caudel	Lark Garnett	H. A. Knollmann

W. T. Lasley	W. B. O'Bannon	John W. Swope
S. D. Laughlin	A. J. Oliver	Claude M. Thomas
Joseph Lazarus	T. P. Oliver	Elmore Thomas
J. E. Lilly	W. F. Paris	John B. Thomas
Harry J. Meyers	Lilburn Phelps	Geo. F. Thompson
Clarence Miller	Luther Pieratt	S. G. Thornberry
Claude D. Minor	Ote Piper	W. F. Trusty
S. H. Moore	Avery Sartin	J. Wood Vance
John T. Murphy	Joe Schneider	F. C. VanHoose
A. J. McCandless	Claude B. Smith	G. Frank Walthal
W. P. McDonogh	R. T. Smith	T. R. Welch
H. C. McGehee	T. J. Smith	W. N. Winn
S. Lee McGohan	Thomas Spurrier	E. G. Young
H. C. McLellen	Ben Street	—83

Mr. Claude M. Thomas, of the Committee on Rules, moved that House Bill No. 18 retain its position in the orders of the day and that consideration of said bill be postponed until tomorrow.

As an amendment to said motion Mr. Klair moved that House Bill No. 18 be made a special order for Monday next at two o'clock p. m.

As an amendment to the amendment proposed by Mr. Klair, Mr. Musick moved that House Bill No. 18 be made a special order for tomorrow at two o'clock p. m.

Said last named amendment and motion were agreed to.

Said amendment proposed by Mr. Klair, as amended by Mr. Musick, was agreed to.

The said motion made by Mr. Claude M. Thomas, as amended, was then agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 255. An act to raise revenue by providing for an annual license tax on local agents of foreign laundries and dry cleaning establishments.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That each agent of a laundry or dry cleaning establishment located outside of this State representing said laundry or establishment and soliciting or receiving articles in this State to be sent or transported to said laundries or establishments to be there laundered or cleaned and returned to their owners in this State, shall, before engaging in said business, secure a license therefor and pay to the Commonwealth of Kentucky an annual license tax of fifty ($50.00) dollars for and in each county where said soliciting or receiving or business is carried on or conducted.

§ 2. The license shall be issued by the county court clerk of the respective counties upon the payment of the tax and the fees required by law.

§ 3. Any person or corporation engaging in the business for which a license is herein required without first procuring the license and paying the tax herein provided for, shall, on conviction, be fined not less than twenty-five nor more than one hundred dollars for each offense.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	F. A. Easterling	W. P. McDonogh
Chas. Ashby	J. M. Elliston	H. C. McGehee
B. S. Bailey	I. H. Gabbard	W. B. O'Bannon
L. D. Baldauf	Lark Garnett	A. J. Oliver
J. H. Ballard	W. H. Hager	T. P. Oliver
A. L. Baldwin	J. S. Hall	W. F. Paris
Robert Bays	A. L. Hamilton	Lilburn Phelps
W. T. Beckham	L. B. Hamilton	Luther Pieratt
B. C. Beckmann	B. H. Harris	Richard Radcliffe
H. V. Bell	David J. Howard	H. C. Rice
W. P. Bowman	A. R. Hudson	Avery Sartin
O. V. Brown	Chas. L. Hunter	Joe Schneider
R. J. Cain	J. W. Johnson	Claude B. Smith
T. L. Caudel	W. H. Jones	T. J. Smith
H. C. Chappell	Griffin Kelly	Thomas Spurrier
Everett Cobb	W. F. Klair	Ben Street
John Cook	H. A. Knollmann	John W. Swope
Fred Cornelius	W. T. Lasley	J. T. Thornton
W. P. Cropper	S. D. Laughlin	W. F. Trusty
James S. Cruse	Joseph Lazarus	G. Frank Walthal
J. C. Davis	M. E. Lee	T. R. Welch
A. A. Demunbrun	J. E. Lilly	W. N. Winn
Harry Dill	Harry J. Meyers	E. G. Young
H. L. Dixon	Claude D. Minor	
W. G. Dycus	Ryland C. Musick	—73

Those who voted in the negative were—

A. S. Cooper	H. C. McLellen	Geo. F. Thompson
E. C. Hardin	R. T. Smith	J. Wood Vance
Clarence Miller	Claude M. Thomas	F. C. VanHoose
A. J. McCandless	Elmore Thomas	
S. Lee McGohan	John B. Thomas	—13

Resolved, that the title thereof be as aforesaid.

Mr. Claude M. Thomas moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 218. An act to amend subsection 1 of section 6 of chapter 4 of the acts of the General Assembly of Kentucky of 1908, which chapter 4 is an act entitled: An act for preventing the manufacture and sale of adulterated or misbranded foods, drugs, medicines and liquors, and providing penalties for violatoin thereof.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That subsection 1, of section 6, of chapter 4, of the acts of the General Assembly of the Commonwealth of Kentucky of 1908, entitled "An act for preventing the manufacture and sale of adulterated or misbranded foods, drugs, medicines and liquors, and providing penalties for violation thereof," be and the same is hereby amended by striking from said subsection and from lines 6 and 7 thereof as it appears in the printed acts, the following language, "official at the time of the investigation," and by adding after the word "Formulary," in the fourteenth line of said subsection the following: "Provided, further, that in the case of those drugs recognized in the United States Pharmacopoeia, eighth revision. and National Formulary, third edition, and not adopted as official in the United States Pharmacopoeia, ninth revision, and National Formulary, fourth edition, they shall conform to the strength, quality or purity as determined by the tests

laid down in the said United States Pharmacopoeia, eighth revision, and National Formulary, third edition; and in all cases of those drugs recognized in the United States Pharmacopoeia, ninth revision, and National Formulary, fourth edition, they shall conform to the standard of strength, quality or purity as determined by the tests laid down in the said United States Pharmacopoeia, ninth revision, and National Formulary, fourth edition; and in any case of conflict or variance in title, strength, quality or purity between the said eighth and ninth revisions of the United States Pharmacopoeia or the third and fourth editions of the National Formulary; the ninth revision of the said United States Pharmacopoeia and the fourth edition of the said National Formulary shall in all cases be the controlling standard."

So that when said subsection be amended it shall read as follows:

"If, when a drug is sold under or by the name recognized in the United States Pharmacopoeia or National Formulary, it differs from the standard of strength, quality or purity, as determined by the tests laid down in the United States Pharmacopoeia or National Formulary. Provided, that no drug defined in the United States Pharmacopoeia or National Formulary shall be deemed to be adulterated under this provision if the standard of strength, quality or purity be plainly stated upon the bottle, box, or other container thereof, although the standard may differ from that made by the test laid down in the United States Pharmacopoeia or National Formulary. Provided, further, that in the case of those drugs recognized in the United State Pharmacopoeia, eighth revision, and National Formulary, third edition, and not adopted as official in the United States Pharmacopoeia, ninth revision, and National Formulary, fourth edition, they shall conform to the strength, quality or purity as determined by the tests laid down in the said United States Pharmacopoeia,

eighth revision, and National Formulary, third edition; and in all cases of those drugs recognized in the United States Pharmacopoeia, ninth revision, and National Formulary, fourth edition, they shall conform to the standard of strength, quality or purity as determined by the tests laid down in the said United States Pharmacopoeia, ninth revision, and National Formulary, fourth edition; and in any case of conflict or variance in title, strength, quality or purity between the said eighth and ninth revision of the United States Pharmacopoeia or the third and fourth editions of the National Formulary, the ninth revision of the said United States Pharmacopoeia and the fourth edition of the said National Formulary shall in all cases be the controlling standard."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	Everett Cobb	J. M. Elliston
L. D. Baldauf	John Cook	L. L. Embry
J. H. Ballard	A. S. Cooper	I. H. Gabbard
Robert Bays	Fred Cornelius	Lark Garnett
W. T. Beckham	W. P. Cropper	M. E Gilbert
R. C. Beckmann	James S. Cruse	W. H. Hager
H. V. Bell	J. C. Davis	J. S. Hall
Leroy Bonta	A. A. Demumbrum	L. B. Hamilton
W. P. Bowman	Harry Dill	E. C. Hardin
O. V. Brown	H. L. Dixon	David J. Howard
R. J. Cain	W. G. Dycus	A. R. Hudson
T. L. Caudel	F. A. Easterling	Chas. L. Hunter

J. W. Johnson	S. Lee McGohan	Claude M. Thomas
W. H. Jones	H. C. McLellen	John B. Thomas
W. F. Klair	W. B. O'Bannon	Geo. F. Thompson
H. A. Knollmann	A. J. Oliver	J. T. Thornton
S. D. Laughlin	T. P. Oliver	S. G. Thornberry
J. E. Lilly	W. F. Paris	J. Wood Vance
Harry J. Meyers	Lilburn Phelps	F. C. VanHoose
Clarence Miller	Luther Pieratt	G. C. Waggoner
Claude D. Minor	Ote Piper	G. Frank Walthal
S. H. Moore	Richard Radcliffe	T. R. Welch
John T. Murphy	Avery Sartin	W. N. Winn
A. J. McCandless	Claude B. Smith	E. G. Young
W. P. McDonogh	R. T. Smith	
H. C. McGehee	John W. Swope	—76

Resolved, that the title thereof be as aforesaid.

Mr. Claude M. Thomas moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 175. An act to amend section 1, article 3, chapter 79, of the acts of the General Assembly of 1914, being an act entitled: An act further regulating the operation of coal mines; to provide a more efficient supervision and regulation of such mines; to provide for the appointment of two additional assistant inspectors; to fix the salary of the chief inspector and assistant inspectors of mines, and to otherwise provide for greater protection to the lives and health of persons employed in and about the coal mines in this State, which act was approved March 23, 1914.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 1, article 3, of chapter 79, of the acts of the General Assembly of 1914, being entitled as set out in the title hereof, be and the same is amended by striking therefrom the following, beginning with line 66 in said printed acts, to-wit:

"In no case shall a copy of such map be made without the consent of such owner, lessee or operator."

And inserting in lieu thereof the following, to-wit:

"In no case shall a copy of such map be made without the consent of such owner, lessee or operator, except that in any case where the owner or owners of any land adjacent or near to the land of the owner, lessee or operator may file an affidavit with the chief inspector showing ownership of such land adjacent or near to the land of such owner, lessee or operator, and that he verily believes that such owner, lessee or operator is encroaching upon or mining on his or their land or lands, whereupon it shall be the duty of the chief inspector to cause to be furnished to such affiant or affiants a duplicate of the map filed by such encroaching owner, operator or lessee, the cost of which duplicate shall be paid by the affiant or affiants."

And that said section be re-enacted as amended, and when so amended and re-enacted, same shall read as follows:

Section 1. The operator or superintendent of every coal mine in this State to which this act applies shall annually, within sixty days after the first day of January, make or cause to be made an accurate map or plan of the workings of such mine, on a scale of not more than one hundred feet to the inch, showing the area mined and the forms of the excavations up to the said first day of January, together with the

location and connection of the lines of all adjoining lands within one thousand feet of said excavations, and the name of names of each owner or owners, so far as known, marked on each tract; a true copy of which map the said operator or superintendent shall deposit with the chief inspector of mines within seventy days after said first day of January, and another copy of which shall be kept at the office of such mine. But after the making and filing with said chief inspector of the first map of the mine, as required herein, the operator or superintendent shall only be required to annually file with said chief inspector, within the time herein specified, such additional map and statement as may be necessary to truly show the progress of the workings, the amount and forms of excavations of said mine, and so much of the property lines as may be within one thousand feet of said excavations as extended, from the date of the preceding map or survey up to the first day of January as provided herein. The chief inspector shall annually, on or before the first day of January, give warning notice that said map is required.

If the operator or superintendent of any coal mine shall fail or neglect to furnish to the chief inspector any copy of the map or extension thereof as provided in this article, the chief inspector is hereby authorized to cause a correct survey and map or plan of said mine or the extensions above indicated to be made at the expense of the owner, lessee or operator of such mine, the cost of which shall be recoverable from said owner, lessee or operator as other debts are recoverable by law; and if at any time the chief inspector of mines shall have reason to believe that such map or plan, or the extension thereof, furnished in pursuance of this article, is materially incorrect, such as will not serve the purpose for which it was intended, he may have survey and map or plan or the extension thereof made or corrected, and the expense of making such survey and map or plan or extension thereof under the direction of said chief inspector shall be paid by the owner, lessee, or operator of the mine, and the same may be

collected as other debts are recoverable by law; but if the map, plan, or extension as furnished by the operator or superintendent shall be found to be correct, the expenses of said survey and drafting of map or plan shall be paid by the State. The correctness of each map or plan provided for by this article shall be certified by the person making such map or plan; and the chief inspector may reject any map as incomplete, the accuracy of which is not so attested. The chief inspector shall, upon the application of any owner, lessee, or operator therefor make or cause to be made a duplicate of any map on file in his office of any mine owned, leased, or operated by the owner, lessee, or operator making such application, but the cost of making such duplicate shall be paid by the applicant therefor. In no case shall a copy of such map be made without the consent of such owner, lessee or operator, except that in any case where the owner or owners of any land adjacent or near to the land of the owner, lessee or operator, may file an affidavit with the chief inspector showing ownership of such land adjacent or near to the land of such owner, lessee or operator, and that he verily believes that such owner, lessee or operator is encroaching upon or mining on his or their land or lands, whereupon it shall be the duty of the chief inspector to cause to be furnished to such affiant or affiants a duplicate of the map filed by such encroaching owner, operator or lessee, the cost of which duplicate or duplicates shall be paid by the affiant or affiants. Proper and safe means for preserving, filing, and cataloguing the mine maps received by the chief inspector of mines, such as suitable envelopes or other filing devices and index card files, shall be provided for the office of the chief inspector, which shall be paid for upon the order of said inspector when approved by the Governor. After this act shall have gone into effect each operator of a coal mine, before making additional openings, and each operator preparing to open a new mine shall furnish the chief inspector for the district in which the mine

is located each a plan of the proposed openings and mine development.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	W. G. Dycus	John T. Murphy
Chas. Ashby	J. M. Elliston	Ryland C. Musick
B. S. Bailey	L. L. Embry	A. J. McCandless
L. D. Baldauf	I. H. Gabbard	H. C. McGehee
J. H. Ballard	Lark Garnett	H. C. McLellen
A. L. Baldwin	M. E Gilbert	W. B. O'Bannon
W. T. Beckham	W. H. Hager	A. J. Oliver
B. C. Beckmann	J. S. Hall	T. P. Oliver
H. V. Bell	A. L. Hamilton	W. F. Paris
Leroy Bonta	L. B. Hamilton	Lilburn Phelps
W. P. Bowman	E. C. Hardin	Luther Pieratt
J. L. Bradford	B. H. Harris	Ote Piper
O. V. Brown	David J. Howard	H. C. Rice
R. J. Cain	Joe Huddleston	Avery Sartin
H. C. Chappell	A. R. Hudson	Joe Schneider
Everett Cobb	Chas. L. Hunter	Claude B. Smith
John Cook	W. H. Jones	R. T. Smith
A. S. Cooper	W. F. Klair	T. J. Smith
Fred Cornelius	H. A. Knollmann	Ben Street
W. P. Cropper	S. D. Laughlin	John W. Swope
James S. Cruse	Harry J. Meyers	Claude M. Thomas
A. A. Demunbrun	Claude D. Minor	Elmore Thomas
H. L. Dixon	S. H. Moore	Geo. F. Thompson

W. F. Trusty	G. Frank Walthal	E. G. Young	
J. Wood Vance	T. R. Welch		
G. C. Waggoner	W. N. Winn		—76

Resolved, that the title thereof be as aforesaid.

Mr. Claude M. Thomas moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 68. An act relating to the destroying of election ballot stubs.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

The clerk of the county court shall destroy all election ballot stubs after four years from the date of the election at which said ballots were used.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in acordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	J. S. Hall	A. J. Oliver
B. S. Bailey	A. L. Hamilton	T. P. Oliver
L. D. Baldauf	L. B. Hamilton	W. F. Paris
J. H. Ballard	B. H. Harris	Lilburn Phelps
A. L. Baldwin	David J. Howard	Luther Pieratt
W. T. Beckham	Joe Huddleston	Ote Piper
B. C. Beckmann	A. R. Hudson	Richard Radcliffe
H. V. Bell	Chas. L. Hunter	H. C. Rice
Leroy Bonta	J. W. Johnson	Avery Sartin
W. P. Bowman	W. H. Jones	Joe Schneider
O. V. Brown	W. F. Klair	Claude B. Smith
R. J. Cain	H. A. Knollmann	R. T. Smith
T. L. Caudel	Joseph Lazarus	T. J. Smith
Everett Cobb	M. E. Lee	Thomas Spurrier
John Cook	J. E. Lilly	Ben Street
J. C. Davis	Harry J. Meyers	John W. Swope
A. A. Demunbrun	Claude D. Minor	Claude M. Thomas
H. L. Dixon	S. H. Moore	Elmore Thomas
W. G. Dycus	John T. Murphy	Geo. F. Thompson
F. A. Easterling	Ryland C. Musick	W. F. Trusty
L. L. Embry	A. J. McCandless	J. Wood Vance
I. H. Gabbard	W. P. McDonogh	F. C. VanHoose
Lark Garnett	H. C. McGehee	G. Frank Walthal
M. E Gilbert	H. C. McLellen	T. R. Welch
W. H. Hager	W. B. O'Bannon	E. G. Young

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Resolved, that the title thereof be as aforesaid.

Mr. Claude M. Thomas moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 90. An act to amend and re-enact Section 1155 of the Kentucky Statutes.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1155 of the Kentucky Statutes be amended by striking out the word "sixteen" therein and inserting in lieu thereof the word "eighteen," and re-enacted so that said section when so amended and re-enacted shall be and read as follows:

"Whoever shall unlawfully carnally know a female under the age of eighteen years, or an idiot, shall be confined in the penitentiary not less than ten nor more than twenty years."

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with,

Said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	Everett Cobb	L. B. Hamilton
J. H. Ballard	John Cook	B. H. Harris
Robert Bays	A. A. Demumbrun	David J. Howard
W. T. Beckham	F. A. Easterling	Joe Huddleston
Leroy Bonta	I. H. Gabbard	A. R. Hudson
J. L. Bradford	Lark Garnett	Chas. L. Hunter
R. J. Cain	M. E Gilbert	Leslie P. Jones
T. L. Caudel	W. H Hager	W. H. Jones

W. F. Klair	A. J. McCandless	John W. Swope
H. A. Knollmann	H. C. McLellen	Claude M. Thomas
W. T. Lasley	W. F. Paris	Geo. F. Thompson
S. D. Laughlin	Luther Pieratt	S. G. Thornberry
Joseph Lazarus	Richard Radcliffe	W. F. Trusty
M. E. Lee	H. C. Rice	J. Wood Vance
Clarence Miller	Avery Sartin	F. C. VanHoose
Claude D. Minor	R. T. Smith	G. C. Waggoner
S. H. Moore	T. J. Smith	W. N. Winn
John T. Murphy	Thomas Spurrier	E. G. Young

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Those who voted in the negtative were—

A. L. Baldwin	W. P. Bowman	J. W. Johnson
B. C. Beckmann	W. G. Dycus	Lilburn Phelps

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Resolved, that the title thereof be as aforesaid.

Mr. Claude M. Thomas moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 403. An act to further regulate the operation of coal mines; to provide a more efficient supervision and regulation of such mines.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The office of Inspector of Mines, which has for its purpose the supervision and enforcement of laws pertaining to the inspection of mines and the protection of mine property

and the other property used in connection therewith, is hereby designated as the "Department of Mines," and the title of the official having charge of said department shall be "Chief Inspector of Mines," and the Governor is hereby authorized to appoint a Chief Inspector of Mines, who shall hold the office for four years and until his successor is appointed and qualified.

Said Chief Inspector of Mines shall have a practical knowledge of the different systems of working and ventilating coal mines and of the nature, chemistry, and properties of noxious and poisonous gases of the mines, especially of explosive gases; also of the dangers due to such gases and their prevention, and of the dangers incident to blasting and their prevention; also of methods for the prevention of explosions in mines due to gas or dust; also of methods for the management and extinguishing of mine fires, and of methods of rescue and relief work in coal mine disasters; also of the application of electricity in mining operations; and he shall also have a practical knowledge of mining engineering.

Said Chief Inspector of Mines shall, before he enters upon the discharge of his duties, be sworn to discharge said duties faithfully and impartially, which oath shall be certified by the officer administering it, and said certificate shall be filed with the Secretary of State in his office; and said Chief Inspector shall give bond in the penal sum of five thousand dollars, with surety, to be approved by the Governor, for the faithful discharge of his official duties. Said Chief Inspector shall be liable to dismissal for willful neglect of duty, or misconduct or malfeasance in office.

Said Chief Inspector shall devote his entire time to the duties of his office, among which shall be the supervision of the training of miners in "mine rescue" methods and, to such extent as his other duties will permit, the dissemination of information among miners concerning mining methods and mine accidents and their prevention. While holding office he shall not act as agent or as a manager or as mining engineer for, or be interested financially in operating, any coal mine; but

he may, in his discretion, comply with requests for advice as to appropriate methods for mining the respective coal beds in Kentucky, provided such requests do not interfere with the performance of his duties and he does not receive pay for such advice.

The office of the State Department of Mines shall be in Frankfort, where adequate offices shall be furnished him, unless the Governor shall deem it more advantageous for it to be elsewhere, in which event the Governor is hereby authorized to name such place as to him may appear appropriate; but there shall be no allowance for office rent should the office be located elsewhere than in Frankfort. The officers of the respective assistant inspectors shall be at such place within their districts as the Chief Inspector may designate, and they shall be allowed office rent not to exceed fifteen dollars a month, in the discretion of the Governor.

§ 2. The chief inspector shall receive an annual salary of three thousand dollars, payable monthly, as other salaries are paid and he shall likewise be allowed and paid his necessary traveling and other expenses incurred on account of and when engaged in the discharge of his official duties, and he shall be allowed not to exceed twelve hundred dollars per annum clerical assistance, in the discretion of the Governor.

§ 3. Whereas the number of coal mines in Kentucky now exceeds seven hundred, having more than doubled within the last two years, and is still rapidly increasing, rendering it physically impossible for the present inspection force of the State Department of Mines to inspect all the mines as often as proper care for the safety and health of the persons employed therein requires or the law sets forth the Governor of this Commonwealth is hereby authorized and directed to appoint three additional assistant inspectors of mines, who shall hold office for four years and until their successors are appointed and qualified. The appointment of these as well as the appointment of all assistant inspectors shall be made by the Governor, and each such inspector herein appointed and those hereafter appointed shall hold office for four years and until

their successors are appointed and qualified. All said assistant inspectors shall have a thorough knowledge of the different systems of working and ventilating coal mines and of the nature and properties of mine gases, especially explosive gases and coal dust, and shall have a thorough and practical knowledge of mining gained by at least five years of experience at and in coal mines, at least three years of which must have been in the mines. Said assistant inspectors, before entering upon the discharge of their official duties, shall be sworn to discharge those duties faithfully and impartially and to the best of their skill and ability, which oath shall be certified by the officer administering it and said certificate shall be filed with the Secretary of State in his office, and each of said assistants shall give bond in the penal sum of two thousand dollars, with surety to be approved by the Governor, for the faithful discharge of his official duties. Each of said assistants shall give his entire time and attention to the duties of his office, which shall consist of the inspection of coal mines, and of aiding under the direction of the chief inspector of mines, in carrying out and enforcing the provisions of the laws relating to the inspection of such mines; also of training crews of miners, at the mines within their respective district, in "mine rescue" methods and in methods of dealing with mine fires; also of taking charge of mine rescue and recovery work when mine explosions or mine fires occur within their respective districts, in the event the chief inspector should not be present; also to assist in such work in other districts when so directed by the chief inspector; also to reopen mines or portions of mines that have been sealed on the account of the presence of fire, when called upon by the owner or operator so to do; and to perform such other duties as are set forth in the mining laws.

Each assistant inspector shall receive an annual salary of eighteen hundred dollars, payable monthly, and shall likewise be allowed and paid his necessary traveling and other expenses incurred on account of and when engaged in the discharge of his official duties.

§ 4. The chief inspector of mines is hereby authorized and directed to partition the coal fields of the State into divisions which shall be known as mine rescue divisions, of which there shall be not to exceed two in the western coal field and not to exceed three in the eastern coal field. In each division there shall be a station, the location of which shall be determined by the chief inspector of mines subject to approval by the Governor, at which station shall be kept apparatus, appliances, and supplies for use in the work of rescue and relief upon the occurrence of explosions or mine fires, and for the training of miners in such work.

The chief inspector of mines is hereby directed to provide each station, as it shall be located, and himself with such apparatus, appliances and supplies as may be necessary, and he shall designate one of his assistant inspectors of mines to have charge of each station.

For the purchase of such rescue apparatus and appliance, there is hereby appropriated a sum not to exceed forty-five hundred dollars. The supplies of oxygen and of necessary chemical for the apparatus shall be purchased by the chief inspector of mines as needed from time to time and paid for as other expenses are paid, on the order of said chief inspector approved by the Governor, and so shall the cost of any repairs that may become necessary from time to time be paid.

§ 5. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	Chas. L. Hunter	Lilburn Phelps
Chas. Ashby	J. W. Johnson	Luther Pieratt
L. D. Baldauf	W. F. Klair	Richard Radcliffe
J. H. Ballard	W. T. Lasley	H. C. Rice
A. L. Baldwin	S. D. Laughlin	Joe Schneider
Robert Bays	M. E. Lee	R. T. Smith
H. V. Bell	J. E. Lilly	T. J. Smith
O. V. Brown	Harry J. Meyers	Thomas Spurrier
T. L. Caudel	Clarence Miller	Ben Street
A. S. Cooper	Claude D. Minor	John W. Swope
Fred Cornelius	John T. Murphy	Claude M. Thomas
W. P. Cropper	Ryland C. Musick	Elmore Thomas
J. C. Davis	A. J. McCandless	John B. Thomas
A. A. Demunbrun	W. P. McDonogh	Geo. F. Thompson
H. L. Dixon	S. Lee McGohan	W. F. Trusty
W. G. Dycus	H. C. McLellen	G. C. Waggoner
J. M. Elliston	W. B. O'Bannon	G. Frank Walthal
Lark Garnett	A. J. Oliver	E. G. Young
J. S. Hall	T. P. Oliver	
A. R. Hudson	W. F. Paris	—58

Those who voted in the negative were—

W. T. Beckham	L. B. Hamilton	Avery Sartin
John Cook	Leslie P. Jones	S. G. Thornberry
F. A. Easterling	H. A. Knollmann	J. Wood Vance
I. H. Gabbard	Joseph Lazarus	F. C. VanHoose
M. E Gilbert	Ote Piper	—14

Resolved, that the title thereof be as aforesaid.

Mr. Claude M. Thomas moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 173. An act to create a board of trustees for the government, administration and control of the University of Kentucky; providing for its appointment, and repealing previous laws relating to same subject.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. (a) The government, administration and control of the University of Kentucky is hereby vested in a board of trustees, constituted and appointed as follows:

The Governor of Kentucky, who shall be chairman of the board, the Superintendent of Public Instruction and the Commissioner of Agriculture, Labor and Statistics, who shall be ex-officio members, and twelve men, discreet, intelligent and prudent, who shall be appointed by the Governor of Kentucky. Four of each shall be appointed each biennium for a term of six years and until their successors are appointed. One of the four so appointed shall be a member of the State Board of Agriculture, one shall be appointed from among three alumni nominated to the Governor by the alumni of the university, and the other two shall be distinguished citizens of the Commonwealth, one of whom shall be appointed from each of the political parties having the right to appoint a member of the State Board of Election Commissioners. With the exception of the members of the board of trustees appointed upon the nomination of the alumni of the university, no two members of the board of trustees, who are appointed by the Governor, shall be residents of any one county in Kentucky. All appointments as members of the board of trustees by the Governor shall be made during the month of January in the even years. The board of trustees of the

university shall prescribe the methods by which the alumni of the university shall make the nomination to the Governor of the three persons from whom the alumni members of the board of trustees shall be appointed. Each alumnus shall be permitted to vote, but no alumnus shall be permitted to vote for the nomination of alumni trustees in the year in which he has received his degree. No member of the board of trustees shall be held to be a public officer by reason of his membership on said board. Provided, however, as soon as this act shall become effective, the terms of the present members of the board of trustees of the university shall expire and the Governor shall appoint twelve members of the board of trustees, four of whom shall serve until January, 1920, four of whom shall serve until January, 1922, and four of whom shall serve until January, 1924, and until their successors are appointed. In making said appointments the Governor shall appoint for each of said terms one member of the State Board of Agriculture, one alumnus of the institution and two distinguished citizens, one of whom shall be members of each of the political parties in the State having the right to name a member of the State Board of Election Commissioners. In case of vacancies by resignation, removal or death, the Governor shall fill such vacancies in the same manner as provided for the appointment of members of the board.

(b) The board of trustees of the university shall meet at least four times a year, as follows:

On the Tuesday preceding the regular annual commencement of the university, on the third Tuesday in September, on the second Tuesday in December and on the first Tuesday in April of each year.

Special meetings of the board, however, may be called by the chairman or by any three members of the board, upon giving ten days' notice of the meeting in writing to each member of the board, but at such special meetings the business to be transacted shall be specified in the notice of the meeting.

(c) The board of trustees shall annually elect an executive committee of five, which executive committee shall have such powers as may be delegated to it by the board of trustees. The executive committee shall submit to the board of trustees at each meeting, for its consideration and approval, a complete record of its proceedings, provided, however, the authority of the board of trustees to revise the acts of the executive committee shall not extend to the rejection of any valid or any authenticated expenditure of money by said executive committee.

(d) The board of trustees shall have power to elect a vice chairman and such other officers as it may deem wise, and shall have power to make such by-laws, rules and regulations not inconsistent herewith, as it may deem proper.

(e) The chairman of the board shall appoint at the meeting in June of each year an extension committee consisting of four members of the board of trustees in addition to himself to advise with the Dean of the College of Agriculture and the Director of Extension on matters pertaining to the extension service of the State.

§ 2. Whereas, it is deemed for the best interests of the university and of the State that the board of trustees be reorganized at once so that the State may be better served, an emergency is hereby declared to exist, and this act shall take effect from and after its passage and approval, as required by law.

§ 3. Section 2 of chapter 20 of the acts of 1916, beginning at page 150 of said published acts and continuing to section 3 of page 154 of said acts, and section 15 of the Kentucky Statutes, Carroll's edition, 1903, which is all of section 4636c Kentucky Statutes, edition 1915, beginning with said section at the top of page 2361, and including all subsections and subsubsections, to subsection 16 on page 2362, are hereby repealed. Subsection 20 of section 4636c, beginning on page 2363 and ending on page 2364, subsection 22 of section 4636c on page 2364, and subsection 24 of section 4636c, beginning

at the bottom of page 2364 and ending at the top of page 2365, are also repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	W. G. Dycus	S. H. Moore
B. S. Bailey	F. A. Easterling	John T. Murphy
L. D. Baldauf	J. M. Elliston	Ryland C. Musick
J. H. Ballard	I. H. Gabbard	A. J. McCandless
A. L. Baldwin	Lark Garnett	W. P. McDonogh
Robert Bays	M. E Gilbert	S. Lee McGohan
W. T. Beckham	W. H. Hager	H. C. McLellen
B. C. Beckmann	L. B. Hamilton	W. B. O'Bannon
H. V. Bell	B. H. Harris	A. J. Oliver
Leroy Bonta	A. R. Hudson	T. P. Oliver
W. P. Bowman	J. W. Johnson	W. F. Paris
J. L. Bradford	Leslie P. Jones	Lilburn Phelps
O. V. Brown	W. F. Klair	Luther Pieratt
R. J. Cain	H. A. Knollmann	Ote Piper
Everett Cobb	W. T. Lasley	H. C. Rice
John Cook	S. D. Laughlin	Avery Sartin
A. S. Cooper	Joseph Lazarus	Joe Schneider
Fred Cornelius	M. E. Lee	Claude B. Smith
W. P. Cropper	J. E. Lilly	R. T. Smith
J. C. Davis	Harry J. Meyers	Thomas Spurrier
A. A. Demunbrun	Clarence Miller	Ben Street
H. L. Dixon	Claude D. Minor	John W. Swope

Claude M. Thomas	F. C. VanHoose	T. R. Welch
Elmore Thomas	G. C. Waggoner	W. N. Winn
John B. Thomas	G. Frank Walthal	E. G. Young

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Resolved, that the title thereof be as aforesaid.

Mr. Claude M. Thomas moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. A. J. Oliver moved that this House do now adjourn.

Said motion was disagreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 229. An act making elementary domestic science a required subject in the common school course of this Commonwealth on and after July 1, 1920.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. On and after July 1, 1920, the State course of study shall embrace besides the other subjects now prescribed by law, elementary domestic science in all common schools supported wholly or in part by the State and said subject shall be taught as thoroughly as other required studies.

§ 2. All laws and parts of laws in conflict with this law are hereby repealed.

Mr. Howard offered the following amendment to said bill, viz.:

Amend House Bill No. 229 by striking out in line one of said bill the figures "1920" and inserting in lieu thereof the figures "1921."

Said amendment was adopted.

Mr. Howard offered the following amendment to the title of said bill, viz.:

Amend title of House Bill No. 229 by striking out the figures "1920" and inserting in lieu thereof the figures "1921."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title, and as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	R. J. Cain	Chas. L. Hunter
Chas. Ashby	T. L. Caudel	J. W. Johnson
B. S. Bailey	A. S. Cooper	Leslie P. Jones
L. D. Baldauf	Fred Cornelius	W. F. Klair
W. T. Beckham	A. A. Demunbrun	H. A. Knollmann
B. C. Beckmann	F. A. Easterling	W. T. Lasley
H. V. Bell	I. H. Gabbard	S. D. Laughlin
Leroy Bonta	Lark Garnett	Joseph Lazarus
W. P. Bowman	M. E Gilbert	J. E. Lilly
J. L. Bradford	David J. Howard	Harry J. Meyers
O. V. Brown	A. R. Hudson	Clarence Miller

Claude D. Minor	T. P. Oliver	John W. Swope
S. H. Moore	W. F. Paris	Claude M. Thomas
John T. Murphy	Lilburn Phelps	Elmore Thomas
Ryland C. Musick	Ote Piper	John B. Thomas
A. J. McCandless	Richard Radcliffe	W. F. Trusty
W. P. McDonogh	Joe Schneider	J. Wood Vance
H. C. McLellen	Claude B. Smith	F. C. VanHoose
W. B. O'Bannon	Thomas Spurrier	G. C. Waggoner
A. J. Oliver	Ben Street	E. G. Young

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Those who voted in the negative were—

J. H. Ballard	W. H. Hager	R. T. Smith
A. L. Baldwin	L. B. Hamilton	S. G. Thornberry
Everett Cobb	Joe Huddleston	G. Frank Walthal
John Cook	Luther Pieratt	W. N. Winn
J. C. Davis	Avery Sartin	

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Resolved, that the title thereof be as amended.

Mr. Claude M. Thomas moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

S. B. 259. An act relating to public health, repealing, amending and re-enacting sections 2054, 2059, 2060 and 2061 of the Kentucky Statutes, Carroll's edition of 1915, relating to the State Board of Health, creating bureaus within said board to perform the functions of the existing State Tuberculosis Commission, the Hotel Inspector, the Pure Food and Drug Division of the Agricultural Experiment Station, and

for other purposes creating county and district departments of health and providing and limiting the appropriations of the State Board of Health and further defining its powers and duties.

S. B. 136. An act to create the Kentucky Council of Defense, defining its powers, purposes, objects and duties and providing an appropriation therefor.

S. B. 109. An act relating to the maintenance of inter-county seat State aid roads.

S. B. 90. An act in relation to advertisements concerning venereal diseases.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

Mr. Claude M. Thomas moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

THURSDAY, MARCH 14, 1918.

The House was opened with prayer by the Rev. John J. Gravatt, pastor of the Episcopal Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen
Chas. Ashby
L. D. Baldauf
J. H. Ballard
A. L. Baldwin
Robert Bays
W. T. Beckham
B. C. Beckmann
H. V. Bell
W. P. Bowman
J. L. Bradford
R. J. Cain
T. L. Caudel
H. C. Chappell
Everett Cobb
John Cook
A. S. Cooper
Fred Cornelius
W. P. Cropper
James S. Cruse
J. C. Davis
A. A. Demumbrun
Harry Dill
H. L. Dixon
W. G. Dycus
F. A. Easterling
J. M. Elliston
I. H. Gabbard
Lark Garnett
M. E Gilbert
W. H. Hager
J. S. Hall
A. L. Hamilton
L. B. Hamilton
E. C. Hardin
B. H. Harris
David J. Howard
Joe Huddleston
A. R. Hudson
Chas. L. Hunter
J. W. Johnson
Leslie P. Jones
W. H. Jones
Griffin Kelly
W. F. Klair
H. A. Knollmann
S. D. Laughlin
Joseph Lazarus
M. E. Lee
J. E. Lilly
Harry J. Meyers
Clarence Miller
S. H. Moore
John T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
H. C. McGehee
S. Lee McGohan
H. C. McLellen
W. B. O'Bannon
A. J. Oliver
T. P. Oliver
W. F. Paris
Lilburn Phelps
Luther Pieratt
H. C. Rice
Avery Sartin
Joe Schneider
Claude B. Smith
R. T. Smith
T. J. Smith
Thomas Spurrier
Ben Street
John W. Swope
Claude M. Thomas
Elmore Thomas
John B. Thomas
J. T. Thornton
S. G. Thornberry
W. F. Trusty
J. Wood Vance
F. C. VanHoose
G. C. Waggoner
G. Frank Walthal
T. R. Welch
W. N. Winn
E. G. Young

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On motion of Mr. Phelps the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

By the unanimous consent of the House the following bill was introduced, ordered printed and referred to the Committe on Rules, viz.:

By Mr. Baldwin:

H. B. 524. An act to prohibit placing obstructions on public highways and fixing a penalty for the violation thereof.

Mr. A. L. Hamilton offered the following resolution, viz.:

H. Res. 38. Resolution to provide money to pay for Red Cross flag in House.

Be it resolved by the House of Representatives of the Commonwealth of Kentucky:

That the Clerk of the House of Representatives draw an order on the Auditor of the state for the sum of $18.50, for the purpose of paying for the Red Cross flag heretofore ordered by the said House of Representatives to be placed in the House Chamber. The Auditor will draw his warrant for said sum on the Treasurer, and on this warrant the Treasurer will issue a treasury check to the Franklin County Chapter American Red Cross.

To the Committee on Rules.

Mr. McDonogh, of the Committee on Rules, called up for consideration a resolution of the following title, viz.:

S. Res. 24. Resolution providing for furnishing Kentucky Directories.

Said resolution reads as follows, viz.:

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

Sec. 1. That the State Librarian is hereby authorized and directed to purchase at not exceeding one dollar per copy, five hundred copies of the book entitled "Kentucky Directory, 1918," for the use of the courts, state and county officials and members of the General Assembly of Kentucky. The Librarian will furnish the members of the General Assembly and such officials as may be designated by the presiding officers of the respective houses a copy of the same and will furnish the state officials with copies thereof and send a copy thereof to the clerk of the county court of each county of the state, to be kept in his office. The Librarian will furnish to the Librarian of each state and territory of the Union a copy of said book in exchange for similar books from the said states and territories, and a copy to the Librarian of Congress.

Sec. 2. It being necessary that the officials should have the books herein provided for, an emergency is declared and this resolution shall take effect upon its adoption and approval by the Governor.

Mr. McDonogh moved that the rules be suspended and that said resolution be adopted.

Said motion was agreed to.

The yeas and nays being taken on the adoption of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	Robert Bays	J. L. Bradford
Chas. Ashby	B. C. Beckmann	R. J. Cain
J. H. Ballard	W. P. Bowman	T. L. Caudel

H. C. Chappell	A. R. Hudson	W. F. Paris
Everett Cobb	Chas. L. Hunter	Lilburn Phelps
A. S. Cooper	J. W. Johnson	H. C. Rice
Fred Cornelius	Leslie P. Jones	Joe Schneider
W. P. Cropper	W. H. Jones	Claude B. Smith
James S. Cruse	Griffin Kelly	R. T. Smith
J. C. Davis	W. F. Klair	T. J. Smith
A. A. Demunbrun	H. A. Knollmann	Ben Street
H. L. Dixon	S. D. Laughlin	John W. Swope
W. G. Dycus	Joseph Lazarus	Claude M. Thomas
F. A. Easterling	M. E. Lee	Elmore Thomas
J. M. Elliston	J. E. Lilly	S. G. Thornberry
I. H. Gabbard	Harry J. Meyers	W. F. Trusty
Lark Garnett	Clarence Miller	G. C. Waggoner
M. E Gilbert	S. H. Moore	G. Frank Walthal
W. H. Hager	John T. Murphy	T. R. Welch
A. L. Hamilton	W. P. McDonogh	W. N. Winn
L. B. Hamilton	H. C. McGehee	E. G. Young
E. C. Hardin	S. Lee McGohan	
David J. Howard	W. B. O'Bannon	—67

And so said resolution was adopted.

Mr. McDonogh moved that the vote by which said resolution was adopted be reconsidered and said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had adopted a resolution of the following title, viz.:

S. Res. 25. Joint resolution for the benefit of Bernard Wells.

To the Committee on Rules.

A message was also received from the Senate announcing that that body had passed bills originating in the Senate of the following titles, viz.:

S. B. 48. An act to amend and re-enact section 4023 of the Kentucky Statutes, Carroll's edition, 1915, relating to revenue and taxation.

To the Committee on Rules.

S. B. 19. An act to amend and re-enact sections 1456, 1457, 1459, 1462 and 1465, Kentucky Statutes, Carroll's edition, 1915, relating to elections, sub-head how conducted, declaring who is an absent voter, permitting him to register, and to vote in all general elections, except for municipal officers, members of school boards and trustees of common schools, and providing a method therefor, and fixing penalties for a violation thereof.

To the Committee on Rules.

S. B. 105. An act to provide an automobile for the use of Commonwealth's attorneys for districts containing cities of the first class, and authorizing the fiscal court of counties containing such districts to furnish and to provide for the same and the upkeep of same.

To the Committee on Rules.

S. B. 144. An act to amend section 428, Civil Code of Practice.

To the Committee on Rules.

S. B. 203. An act to amend subsection 3 of section 648a of the Kentucky Statutes, being an act of March 24, 1906, chapter 144 of the Acts of 1906, and to amend subsection 3 of section 648a of the Kentucky Statutes, as amended by section 3 of chapter 93 of the Acts of 1912.

S. B. 274. An act entitled an act to amend sections 854 to 878, both inclusive, of the Kentucky Statutes of 1915,

compiled by the Hon. John D. Carroll, and to regulate the organization, incorporation and management of building and loan associations, creating the department of building and loan associations in the office of the banking commissioner and providing for the appointment of examiners and prescribing their duties and for the examination of all building and loan associations organized and doing business under the laws of this Commonwealth.

To the Committee on Rules.

Mr. McDonogh, of the Committee on Rules, called up for consideration a bill heretofore reported from the Senate of the following title, viz.:

S. B. 18. An act for the improvement of the public highways of this Commonwealth.

Together with House amendments proposed to said bill Nos. 1, 2 and 3.

(For said bill and amendments see H. J. March 6, 1918.)

The following report or message was received from the Senate relating to said bill, on March 7th, 1918, viz.:

Resolved, that the Senate do concur in amendment No. 2, proposed by the House of Representatives to Senate Bill No. 18.

Resolved, further, that the Senate do not concur in amendments Nos. 1 and 3, proposed by the House of Representatives to Senate Bill No. 18.

Mr. Waggoner moved that the House do now recede from the House amendments Nos. 1 and 3, proposed by the House of Representatives to Senate Bill No. 18.

Said motion was agreed to.

The yeas and nays were taken on the final passage of said Senate Bill No. 18, as amended, in accordance with the provision of the Constitution, and were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	J. M. Elliston	Lilburn Phelps
J. H. Ballard	I. H. Gabbard	Joe Schneider
A. L. Baldwin	Lark Garnett	Thomas Spurrier
Robert Bays	B. H. Harris	Ben Street
W. T. Beckham	David J. Howard	John W. Swope
B. C. Beckmann	Joe Huddleston	Claude M. Thomas
H. V. Bell	Griffin Kelly	Elmore Thomas
W. P. Bowman	H. A. Knollmann	F. C. VanHoose
J. L. Bradford	J. E. Lilly	G. C. Waggoner
Fred Cornelius	Harry J. Meyers	T. R. Welch
W. P. Cropper	Ryland C. Musick	W. N. Winn
A. A. Demunbrun	W. P. McDonogh	E. G. Young
Harry Dill	W. B. O'Bannon	
W. G. Dycus	W. F. Paris	—40

Those who voted in the negative were—

B. S. Bailey	Chas. L. Hunter	H. C. Rice
R. J. Cain	J. W. Johnson	Avery Sartin
T. L. Caudel	Leslie P. Jones	Claude B. Smith
John Cook	W. H. Jones	R. T. Smith
A. S. Cooper	M. E. Lee	John B. Thomas
James S. Cruse	S. H. Moore	S. G. Thornberry
H. L. Dixon	A. J. McCandless	W. F. Trusty
W. H. Hager	H. C. McGehee	G. Frank Walthal
J. S. Hall	T. P. Oliver	
L. B. Hamilton	Otc Piper	—28

Mr. McDonogh moved that the vote by which said Senate Bill No. 18 was finally passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. McDonogh, of the Committee on Rules, called up for consideration a resolution of the following title, viz.:

S. Res. 25. Joint resolution for the benefit of Bernard Wells.

Mr. McDonogh moved that the rules be suspended and that said resolution be adopted.

Said motion was agreed to.

Said resolution reads as follows, viz.:

Joint resolution for the benefit of Bernard Wells:

Whereas, Bernard Wells, to whom a second class certificate was heretofore awarded to teach ir the public schools, by the examining board of Johnson county, Kentucky, and,

Whereas, while said certificate was in full force and effect, and when the services of no other teacher were available, the educational board of division No. 3 of Johnson county, Kentucky, at its regular meeting held on a day by statute appointed for that purpose, entered into a contract with Bernard Wells, employing him to teach as an assistant in the school of its subdistrict No. 8, for and during the term of six months, beginning on the 18th day of July, 1910, and as compensation therefor he was to receive one-half (½) of the public money drawn by said district for said year; and,

Whereas, he did teach as an assistant in said school for the full term of six months, and money report thereof made, and his services as thereby reported were accepted by the trustee of said subdistrict, by the chairman of said board of education, and by the superintendent of public schools of Johnson county, Kentucky; and,

Whereas, he has received no part of the compensation agreed upon for his services rendered, and which amounts to two hundred seventy-three and 37-100 ($273.37) dollars, for

the technical reason that he did not hold a certificate of that class which would have entitled him to teach said school as principal; and,

Whereas, said sum of money was repaid into the general school fund of the state of Kentucky;

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

1. That the Auditor of Public Accounts be, and he is, hereby directed to draw his warrant in favor of V. O. Gilbert, Superintendent of Public Instruction, for the sum of two hundred seventy-three and 37-100 ($273.37) dollars, to be charged to the general school fund of the state of Kentucky, and that said sum be paid by the said superintendent to the said Bernard Wells, as money is paid to teachers of public schools.

The yeas and nays being taken on the adoption of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	Everett Cobb	A. L. Hamilton
Chas. Ashby	A. S. Cooper	L. B. Hamilton
B. S. Bailey	Fred Cornelius	E. C. Hardin
L. D. Baldauf	W. P. Cropper	B. H. Harris
J. H. Ballard	J. C. Davis	David J. Howard
A. L. Baldwin	A. A. Demumbrun	A. R. Hudson
Robert Bays	Harry Dill	Chas. L. Hunter
W. T. Becklam	H. L. Dixon	J. W. Johnson
B. C. Beckmann	W. G. Dycus	Leslie P. Jones
H. V. Bell	F. A. Easterling	W. H. Jones
W. P. Bowman	J. M. Elliston	Griffin Kelly
J. L. Bradford	I. H. Gabbard	W. F. Klair
R. J. Cain	Lark Garnett	H. A. Knollmann
T. L. Caudel	M. E Gilbert	Joseph Lazarus
H. C. Chappell	W. H. Hager	J. E. Lilly

Harry J. Meyers	Lilburn Phelps	Elmore Thomas
Clarence Miller	Luther Pieratt	John B. Thomas
S. H. Moore	Ote Piper	J. T. Thornton
A. J. McCandless	Richard Radcliffe	W. F. Trusty
W. P. McDonogh	Avery Sartin	J. Wood Vance
H. C. McGehee	Joe Schneider	F. C. VanHoose
S. Lee McGohan	Claude B. Smith	G. C. Waggoner
V. B. O'Bannon	T. J. Smith	G. Frank Walthal
A. J. Oliver	Ben Street	T. R. Welch
T. P. Oliver	John W. Swope	W. N. Winn
W. F. Paris	Claude M. Thomas	E. G. Young

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Those who voted in the negtative were—

Joe Huddleston	H. C. Rice	—2

And so said resolution was adopted.

Mr. McDonogh moved that the vote by which said resolution was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. McDonogh called up for consideration a resolution of the following title, viz.:

S. Res. 14. Joint resolution for the benefit of J. W. Hedden, formerly Superintendent of Public Printing.

Said resolution reads as follows, viz.:

Whereas, J. W. Hedden served the Commonwealth of Kentucky in the capacity of Superintendent of Public Printing of the Commonwealth of Kentucky, under appointment of the board of printing commissioners made June 1st, 1906, for a period of four years from said date, to-wit, from June 1, 1906, to June 1, 1910; and,

Whereas, during the sessions of the Legislature of 1908 and 1910, by reason of the great volume of work thrown upon his office he was required to and did provide himself with assistance, and for which assistance he paid from his own funds, the sum of $229.38; and,

Whereas, said sum of money has never been refunded or paid to said Hedden up to this time; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the Auditor of Public Accounts be, and he is, directed to draw his warrant on the Treasurer of the Commonwealth for the sum of $229.38 and interest from Jan. 1, 1910, to Jan. 1, 1918, at the legal rate, payable out of the general expenditure fund, payable to said J. W. Hedden, in full of his claim for money paid out by him by reason of the employment of assistance during the Legislative sessions of 1908 and 1910, and which aggregates $339.48.

Mr. McDonogh moved that the rules be suspended and that said resolution be adopted.

Said motion to suspend the rules was agreed to.

The yeas and nays being taken on the adoption of said resolution in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

L. D. Baldauf	A. S. Cooper	J. W. Johnson
J. H. Ballard	W. P. Cropper	Griffin Kelly
A. L. Baldwin	F. A. Easterling	S. D. Laughlin
W. T. Beckham	I. H. Gabbard	Harry J. Meyers
H. V. Bell	Lark Garnett	John T. Murphy
R. J. Cain	W. H. Hager	A. J. McCandless
T. L. Caudel	David J. Howard	W. P. McDonogh

H. C. McGehee	Ote Piper	F. C. VanHoose
H. C. McLellen	Joe Schneider	
W. B. O'Bannon	John W. Swope	—28

Those who voted in the negative were—

Ed. L. Allen	M. E Gilbert	S. Lee McGohan
Robert Bays	L. B. Hamilton	T. P. Oliver
O. V. Brown	E. C. Hardin	W. F. Paris
H. C Chappell	Joe Huddleston	H. C. Rice
Everett Cobb	A. R. Hudson	Avery Sartin
John Cook	Leslie P. Jones	R. T. Smith
Fred Cornelius	W. H. Jones	T. J. Smith
J. C. Davis	H. A. Knollmann	Elmore Thomas
A. A. Demunbrun	J. E. Lilly	John B. Thomas
H. L. Dixon	Clarence Miller	S. G. Thornberry
W. G. Dycus	S. H. Moore	J. Wood Vance
J. M. Elliston	Ryland C. Musick	G. C. Waggoner

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And so said resolution was rejected.

Mr. McDonogh, of the Committe on Rules, called from the hands of the chairman of the committees to which the same had been referred bills of the following titles, viz.:

By Mr. Phelps, of the Committee on County and City Courts:

S. B. 121. An act to amend and re-enact section 1074 of Kentucky Statutes, Carroll's edition, 1915, so as to enlarge the jurisdiction of county courts in the trial of misdemeanor cases under certain conditions.

By Mr. Klair, of the Committee on Revenue and Taxation:

H. B. 521. An act to amend and re-enact section 1 of chapter 5 of the Acts of the special session held in 1917, en-

titled an act relating to revenue and taxation, and providing a license tax on distilled spirits, known as double stump spirits, providing for the distribution of said fund, and providing penalties for the violation of its provisions, by striking from section 1 thereof the word "two" and inserting in lieu thereof the word "ten."

By Mr. Claude M. Thomas, of the Committee on Agriculture:

S. B. 159. An act to suppress, prevent, control and eradicate communicable diseases in live stock, to provide the necessary officers and define their duties and powers, and to appropriate funds necessary for its enforcement, and repealing section 63a of article 2, chapter 5, Carroll's 1915 edition, Kentucky Statutes.

By Mr. McDonogh, of the Committee on Rules:

S. B. 169. An act to repeal and re-enact section 12 of chapter 43, Acts of the General Assembly of 1916, which act is entitled an act to amend and re-enact chapter 142 of the Acts of the General Assembly of the Commonwealth, approved March 19, 1912, entitled an act to provide for the organization, armament, discipline and government of the militia, and in so doing to provide for the organization, armament, equipment, discipline and government of a state guard,

and making an appropriation for same.

By same:

S. B. 79. An act relating to charitable institutions, and providing and appropriating an annual per capita for the pauper and part pay inmates of the Eastern, Western and Central State Hospitals, and for the Kentucky Institute for Feeble-Minded Children, and fixing the amount of per capita

to be paid by inmates of said institutions who may be able to pay, and repealing laws in conflict.

By same:

S. B. 191. An act to provide for the commitment, care, treatment, training, segregation and custody of feeble-minded, epileptic and insane persons, to provide an appropriation therefor and to repeal all acts inconsistent herewith, and specifically sections 264 to 271 inclusive of the Kentucky Statutes, Carroll's edition of 1915, which concern the Kentucky Institute for the Feeble-Minded Children, and sections 2156 to 2171 inclusive of the Kentucky Statutes, Carroll's edition of 1915, which concern idiots and lunatics and provide penalties for the violation of this act.

By same:

H. B. 523. An act to regulate the weighing and sampling of milk.

By same:

S. B. 165. An act relating to the Bureau of Agriculture, Labor and Statistics, providing that it shall do demonstration work and may co-operate with State and government authorities in holding agricultural meetings and making an appropriation therefor.

Said foregoing bills were reported without an expression of opinion.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

Mr. McDonogh, of the Committee on Rules, called up for consideration from the orders of the day bills in the following order:

The House took up for consideration from the orders of the day a bill entitled:

H. B. 342. An act providing for the salaries of the deputy commissioners of circuit courts in counties having a population of two hundred thousand inhabitants or more, and repealing all laws, or parts of laws, in conflict herewith.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the salaries of the deputy commissioners of circuit courts in counties having a population of two hundred thousand inhabitants, or more, comprising a separate judicial district and having six circuit judges, or more, are hereby fixed as follows: The salary of the chief deputy commissioner shall not exceed the sum of $2,500.00 and the salary of each other deputy commissioner shall not exceed the sum of $2,000.00 per annum, said salaries to be fixed by the said circuit court in general term. Said salaries to be paid out of the fees of the said office as now provided by law.

All laws or parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	W. H. Hager	W. B. O'Bannon
B. S. Bailey	J. S. Hall	A. J. Oliver
J. H. Ballard	E. C. Hardin	W. F. Paris
A. L. Baldwin	David J. Howard	Lilburn Phelps
W. T. Beckham	Joe Huddleston	Ote Piper
B. C. Beckmann	A. R. Hudson	Richard Radcliffe
H. V. Bell	J. W. Johnson	Avery Sartin
O. V. Brown	Leslie P. Jones	Joe Schneider
R. J. Cain	W. H. Jones	Claude B. Smith
T. L. Caudel	Joseph Lazarus	R. T. Smith
H. C. Chappell	J. E. Lilly	T. J. Smith
John Cook	Harry J. Meyers	Claude M. Thomas
James S. Cruse	Claude D. Minor	Elmore Thomas
J. C. Davis	Ryland C. Musick	S. G. Thornberry
A. A. Demunbrun	A. J. McCandless	W. F. Trusty
W. G. Dycus	W. P. McDonogh	J. Wood Vance
J. M. Elliston	H. C. McGehee	E. G. Young
I. H. Gabbard	S. Lee McGohan	—53

Resolved, that the title thereof be as aforesaid.

Mr. McDonogh moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 364. An act to amend and re-enact section 3276, subdivision 2 of article 4, chapter 89, Kentucky Statutes, and providing for the regular meetings of the common council and compensation of its members in cities of the third class.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 3276, in subdivision 2, of article 4, chapter 89, Kentucky Statutes, which reads as follows:

"Section 3276. Council to Meet Semi-Monthly—Compensation of Members.—The common council shall hold two regular meetings each month, upon such days as may be fixed by ordinance; and two-thirds of all members elected concurring, each council may vote the members of the succeeding council, and before their election, compensation, but not to exceed three dollars to each member for each regular meeting he may attend, and the same shall not be changed during their term of office."

Be and the same is hereby amended and re-enacted to read as follows:

Section 3276. Council to Meet Semi-Monthly—Compensation of Members.—The common council shall hold two regular meetings each month, upon such days as may be fixed by ordinance; and two-thirds of all members elected concurring, each council may vote the members of the succeeding council, and before their election, compensation, but not to exceed five dollars to each member for each regular meeting he may attend, and the same shall not be changed during their term of office.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were--

Ed. L. Allen	J. S. Hall	W. B. O'Bannon
Chas. Ashby	L. B. Hamilton	W. F. Paris
B. S. Bailey	E. C. Hardin	Lilburn Phelps
L. D. Baldauf	David J. Howard	Ote Piper
W. T. Beckham	Joe Huddleston	Richard Radcliffe
B. C. Beckmann	A. R. Hudson	H. C. Rice
H. V. Bell	J. W. Johnson	Avery Sartin
W. P. Bowman	Leslie P. Jones	Joe Schneider
J. L. Bradford	W. H. Jones	Claude B. Smith
O. V. Brown	Griffin Kelly	R. T. Smith
R. J. Cain	H. A. Knollmann	John W. Swope
T. L. Caudel	M. E. Lee	Claude M. Thomas
Everett Cobb	J. E. Lilly	Elmore Thomas
John Cook	Harry J. Meyers	John B. Thomas
A. A. Demunbrun	Claude D. Minor	Geo. F. Thompson
H. L. Dixon	S. H. Moore	S. G. Thornberry
W. G. Dycus	A. J. McCandless	J. Wood Vance
J. M. Elliston	W. P. McDonogh	F. C. VanHoose
I. H. Gabbard	H. C. McGehee	Geo. C. Waggoner
M. E Gilbert	S. Lee McGohan	W. N. Winn
W. H. Hager	H. C. McLellen	E. G. Young

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Those who voted in the negative were—

A. S. Cooper	Ben Street	—2

Resolved, that the title thereof be as aforesaid.

Mr. McDonogh moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 402. An act to amend subsection 4 of section 331a of Kentucky Statutes, Carroll's edition of 1915, relating to the employment of children.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That subsection 4 of section 331a of Kentucky Statutes, Carroll's edition, 1915, be, and the same is, hereby amended by striking out the following, beginning with the word "or," after the word "child," in line eleven thereof:

"Or in case the officer authorized to issue the certificate is satisfied that none of such proofs of age can be produced, other evidence of age, such as a duly attested school census, or school enrollment record, or affidavit of the parent, guardian or cutodian of such a child such as shall convince such officer that the child is fourteen years of age or upwards."

And insert in lieu thereof the following:

"Contemporary Bible record, certificate of landing, insurance policy or satisfactory documentary evidence at least one year old. Public health or public school physician's certificate of physical age supported by parent's statement and school record."

Said subsection, when thus amended, will read as follows.

Subsection 4. The person authorized to issue employment certificates shall not issue such certificate until the child in question, accompanied by its parent or guardian, has personally made application to him therefor and until he has received, examined, approved and filed the following papers duly executed: (1) The school record of such child properly filled out and signed as provided hereinafter. (2) A duly attested transcript of the birth certificate filed according to law

with any officer charged with the duty of recording births; or a passport, or a duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of such child; contemporary Bible record, certificate of landing, insurance policy or satisfactory documentary evidence at least one year old. Public health or public school physician's certificate of physical age supported by parent's statement and school record. (3) The written statement of the person, firm or corporation in whose service the child is about to enter, that he intends to employ the child, which statement shall give the nature of the occupation for which the child is employed. (4) A certificate signed by a physician appointed by the school board, or other public medical officer, stating that such child has been examined by him, and, in his opinion, has reached the normal development of a child of its age and is in sufficiently sound health and physically able to be employed in the work which it intends to do. The superintendent of schools in any city, town, county or district, wherever there is one, and where there is none, then the county superintendent shall, between the first and tenth days of each month, transmit to the office of the labor inspector a report, which report shall give: (1) the name of each child to whom a certificate has been issued in the preceding month, together with the name and address of the establishment where such child was to be employed; and, (2) the name of each child to whom a certificate has been denied in the preceding month, together with the ground of such denial. A refusal or failure to transmit such report by any person charged under this section with the duty of transmitting same to the Labor Inspector shall constitute a misdemeanor, punishable by a fine of not more than twenty-five dollars nor less than five dollars, to be disposed of as provided in the section of this act numbered 16.

Mr. Leslie P. Jones offered the following amendment to said bill by way of substitute therefor, viz.:

An act to repeal and re-enact subsection 4 of section 331a of Kentucky Statutes, Carroll's edition, 1915, relating to the employment of children.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That subsection 4 of section 331a of Kentucky Statutes, Carroll's edition, 1915, be, and the same is, hereby repealed, and that said subsection be amended and re-enacted, and when so amended and re-enacted shall read as follows:

Subsection 4. The persons authorized to issue employment certificate, age certificate or permit, under the authority of this act, shall issue such certificate to any minor making application therefor, notwithstanding such applicant may have passed the age of sixteen years, and only upon the application in person of the child desiring employment, accompanied by its parent, guardian or custodian, and after having received, examined and approved in addition to the school record of such child properly filled out and signed, as provided herein below, documentary evidence of age, showing that the child is fourteen years of age or over; which evidence shall consist of one of the following named proofs of age, to be required in the order herein designated as follows:

(a) A birth certificate or attested transcript thereof issued by a registrar of vital statistics or other officer charged with the duty of recording births.

(b) A record of baptism or a certificate or attested transcript showing the date of birth and place of baptism of the child.

(c) A bona fide contemporary record of the date and place of the child's birth kept in the Bible in which the records of the births in the family of the child are preserved, or other satisfactory documentary evidence, such as a passport showing the age of the child, a certificate of arrival in the United States, issued by the United States immigration officers and

showing the age of the child, or a life insurance policy; provided that such other satisfactory documentary evidence has been in existence at least one year prior to the time it is offered in evidence; and provided further, that a school record or a parent's, guardian's or custodian's affidavit, certificate or other written statement of age shall not be accepted except as specified in paragraph (d).

(d) A certificate signed by a public health physician or a public school physician, specifying what in the opinion of such physician is the physical age of the child; such certificate shall show the height and weight of the child and other facts concerning its physical development revealed by such examination and upon which the opinion of the physician as to the physical age of the child is based. A parent's, guardian's or custodian's certificate or affidavit as to the age of the child and a record of age as given on the register of the school which the child first attended, or in the school census, if obtainable, shall be submitted with the physicians' certificates showing physical age.

The officer issuing the age certificate for a child shall require the evidence of age specified in subdivision (a) in preference to that specified in any subsequent subdivision and shall not accept the evidence of age permitted by any subsequent subdivision, unless he shall receive and file evidence that the evidence of age required by the preceding subdivision or subdivisions can not be obtained.

Such application must be accompanied by the written statement of the person, firm or corporation into whose service the child is about to enter that he intends to employ the child, which statement shall give the nature of the occupation for which the child is to be employed.

Any person who knowingly makes a false statement, or presents false evidence in or in relation to any such certificates or applications therefor shall be amendable to prosecution and to the fine or imprisonment, as provided in section 16 of this act.

No employer shall be prosecuted under the provisions of this act for any violation, if such employer has in good faith procured at the time of employing such child, and has since in good faith relied upon and kept on file such age certificates, employment certificate or permit, issued in such form and under such conditions and by such persons as prescribed in this act, showing that the child so employed was of such age as is not prohibited by this act.

The superintendent of schools in any city, town, county or district, wherever there is one, and where there is none, then the county superintendent shall, between the first and tenth days of each month, transmit to the office of the labor inspector a report, which report shall give (1) the name of each child to whom a certificate has been issued in the preceding month, together with the name and address of the establishment where such child was to be employed; and, (2) the name of each child to whom a certificate has been denied in the preceding month, together with the ground of such denial. A refusal or failure to transmit such report, by any person charged under this section with the duty of transmitting same to the labor inspector, shall constitute a misdemeanor, punishable by a fine of not more than twenty-five dollars nor less than five dollars, to be disposed of as provided in the section of this act numbered 16.

Whenever an inspector duly authorized under this act shall find that the age of a child employed in any mill, cannery, workshop, factory, manufacturing establishment, mine, or quarry as given on a certificate is incorrect, or that the time record is not kept in accordance with regulation 8 of the rules and regulations governing the Federal law, he shall notify the child, the employer, and the issuing officer that the certificate or the acceptance of a state certificate for the purposes of this act is suspended and indicate such suspension on the certificate or certificates.

A statement of the facts for which the suspension was made shall be forwarded by the inspector to the commissioner

of Labor, or such person as he may designate, who will either (a) revoke or withdraw the certificate or the acceptance of the certificate, or (b) veto the suspension, as in his judgment the facts in the case warrant. Due notice shall be sent to the child's parent, guardian or custodian, to the employer, and to the issuing officer of the action taken in regard to a suspended certificate.

If the suspension of a certificate be vetoed, a new certificate shall be issued upon the surrender of the one suspended. If for any reason such new certificate can not be obtained from a state issuing officer, the notice of the veto if attached to a suspended certificate shall be recognized and accepted as meeting the requirements of section 5 of the rules and regulations governing the Federal law.

Said amendment, by way of substitute, was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title, and as amended by way of substitute therefor, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	O. V. Brown	W. G. Dycus
Chas. Ashby	R. J. Cain	J. M. Elliston
B. S. Bailey	T. L. Caudel	I. H. Gabbard
L. D. Baldauf	Everett Cobb	Lark Garnett
W. T. Beckham	John Cook	M. E. Gilbert
B. C. Beckmann	A. S. Cooper	J. S. Hall
J. L. Bradford	H. L. Dixon	L. B. Hamilton

E. C. Hardin	Ryland C. Musick	T. J. Smith
David J. Howard	A. J. McCandless	Ben Street
Joe Huddleston	W. P. McDonogh	John W. Swope
A. R. Hudson	H. C. McGehee	Claude M. Thomas
Chas. L. Hunter	W. B. O'Bannon	Elmore Thomas
J. W. Johnson	A. J. Oliver	John B. Thomas
Leslie P. Jones	W. F. Paris	Geo. F. Thompson
W. H. Jones	Lilburn Phelps	S. G. Thornberry
W. F. Klair	Ote Piper	J. Wood Vance
H. A. Knollmann	Richard Radcliffe	F. C. VanHoose
J. E. Lilly	H. C. Rice	Geo. C. Waggoner
Harry J. Meyers	Avery Sartin	G. Frank Walthal
Claude D. Minor	Joe Schneider	W. N. Winn
S. H. Moore	Claude B. Smith	E. G. Young
John T. Murphy	R. T. Smith	—65

Resolved, that the title thereof be as amended.

Mr. McDonogh moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 381. An act authorizing and empowering cities of the third class to lease, acquire, build, construct, equip, operate and own a line or lines of street railway within the limits of their corporate boundaries, and to provide the necessary rolling stock therefor, and such switches, turnouts, grounds, buildings and equipment for power houses and depots, and power that may be necessary in the operation of such street railway line or lines, and to provide for the payment of the costs thereof.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That cities of the third class in this Commonwealth are hereby authorized and empowered and permitted to lease, acquire, build, construct, equip, operate and own a line or lines of street railway within the limits of their corporate boundaries, and to that end such cities are hereby authorized and empowered to provide for and own the necessary rolling stock therefor and all necessary switches, turnouts, buildings and equipment for depots, repair shops and power houses and power necesary to operate such line or lines of street railway.

§ 2. The common council or board of commissioners in any city of the third class which has adopted or may adopt the commission form of government shall have power by ordinance to provide for the operation of such street railway line or lines over, across, upon and along such of its streets, alleys or public grounds as it may deem necessary, and to that end may, within the limitations of the Constitution of this state, lease or acquire by purchase, any existing line or lines of rolling stock and other property used in the operation of such street railway line or lines, or may build and construct such line or lines of street railway and to provide for the purchase and acquirement of all the materials therefor, including all rolling stock and grounds for depots, power houses and repair shops, switches, turnouts, poles, wires and all property necessary for the operation of such street railway line or lines, or any extension thereof, and to provide the necessary funds therefor, such cities are hereby authorized and empowered to issue and sell bonds.

§ 3. Said bonds, when issued, shall be signed by the mayor and countersigned by the city clerk of the city authorizing their issual, and have the seal of the city affixed thereto. They shall be numbered serially, and be of such form and denomination as may be prescribed by ordinance, and shall bear not exceeding six per cent interest per annum, interest

payable annually, and shall have interest coupons attached thereto for such interest, which interest coupons shall be signed by the mayor and countersigned by the city clerk. Said bonds shall not be issued for a longer period than 20 years, nor sold for less than par and accrued interest, and their proceeds shall be used exclusively for the payment of the costs in the acquisition of such railway property, and for no other purpose whatever. Said bonds and coupons shall be made payable to bearer and shall be due at such time and payable at such place as shall be provided for in the ordinance authorizing their issual.

§ 4. The proceeds of all net income, if any, arising from the operation of such line or lines of street railway, shall be applied to the payment of the interest on said bonds and to the payment of such bonds at maturity, and shall be used for no other purpose whatever. Said bonds shall be due and payable not exceeding 20 years from date thereof, but may be redeemed by the city issuing same at any time after 5 years from their date, in whole or in part; provided, however, that 20 days' notice shall be given by the city by publication in a newspaper having general circulation throughout the county wherein said city is located, and in a newspaper of general circulation throughout the state, of the bonds called in and the time fixed for their redemption, and this provision shall be shown in substance on the bonds. Any bond or bonds not presented for redemption at the time prescribed in the notice shall cease to bear interest.

§ 5. No such city shall have authority or be empowered to own or operate such line or lines of street railway as provided for in this act, nor incur any indebtedness on account thereof, nor issue any bonds therefor, without the assent of two-thirds of the qualified voters thereof, voting at an election to be held for that purpose, nor until an ordinance shall have been duly adopted by the common council or board of commissioners in cities which have adopted or may adopt the commission form of government, submitting such proposition

to the voters of such city, at least 60 days prior to such election, and published in at least five issues of some newspaper of general circulation in said city not less than 15 days nor more than 30 days preceding such election. Provided, nothing in this act shall be construed to prevent cities of the third class from the right to grant a franchise or privilege to any person, firm, corporation or company, to maintain and operate a street railway in such cities as provided in subsection 35 of section 3290 of the Kentucky Statutes, Carroll's edition, 1915.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	A. S. Cooper	E. C. Hardin
Chas. Ashby	Fred Cornelius	David J. Howard
B. S. Bailey	James S. Cruse	Joe Huddleston
L. D. Baldauf	J. C. Davis	A. R. Hudson
A. L. Baldwin	A. A. Demumbrun	Chas. L. Hunter
Robert Bays	H. L. Dixon	J. W. Johnson
W. T. Beckham	W. G. Dycus	W. H. Jones
B. C. Beckmann	J. M. Elliston	Griffin Kelly
H. V. Bell	L. L. Embry	W. F. Klair
W. P. Bowman	I. H. Gabbard	H. A. Knollmann
J. L. Bradford	Lark Garnett	Joseph Lazarus
O. V. Brown	M. E Gilbert	M. E. Lee
R. J. Cain	W. H. Hager	J. E. Lilly
Everett Cobb	J. S. Hall	Harry J. Meyers
John Cook	L. B. Hamilton	Clarence Miller

Claude D. Minor	Lilburn Phelps	John W. Swope
S. H. Moore	Luther Pieratt	Claude M. Thomas
John T. Murphy	Ote Piper	John B. Thomas
A. J. McCandless	Richard Radcliffe	S. G. Thornberry
W. P. McDonogh	H. C. Rice	W. F. Trusty
H. C. McGehee	Avery Sartin	J. Wood Vance
H. C. McLellen	Joe Schneider	F. C. VanHoose
W. B. O'Bannon	Claude B. Smith	G. Frank Walthal
A. J. Oliver	R. T. Smith	W. N. Winn
T. P. Oliver	T. J. Smith	E. G. Young

—75

There voted in the negative—

Ben Street —1

Resolved, that the title thereof be as aforesaid.

Mr. McDonogh moved that the vote by which said bill was passed be reconsidered and said motion lie on the table.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 471. An act to provide a lien on motor vehicles for services or work done, or for accessories, or supplies furnished by garages, mechanics, repairmen or other individuals or corporations.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. All persons, individuals or corporations in conducting the business of selling, repairing, furnishing accessories or supplies for motor vehicles shall have a lien on such motor vehicle for the reasonable or agreed charges for repairs, work done, accessories or supplies furnished for or

on machines, and for storing or keeping said machine, and such persons, individuals or corporations may detain all motor vehicles in their possession on which work has been done by them until the reasonable or agreed charges therefor have been paid.

The lien provided for in this act shall not be lost by the removal of such vehicle from the garage, shop or premises of the person, individual or corporation performing labor, repairing, furnishing accessories or supplies therefor: Provided, however, such person, individual or corporation shall assert such lien within six months after the removal of such vehicle, unless the owner thereof shall consent in writing to an additional extension of time as provided for in this act, in which event the lien shall extend for such a length of time as the parties may agree upon, reduced to writing and signed by the parties thereto.

§ 2. Any motor vehicle remaining in possession of a person, individual or corporation on which repairs have been made, labor performed, accessories or supplies furnished by such person, individual or corporation for more than thirty days may be sold to pay said charges, but the person, individual or corporation to whom the charges are payable shall first advertise said vehicle for sale six days before the sale is made, in some paper of general circulation in the town, city or county where the materials were furnished or labor performed on such motor vehicle.

The Committee on Public Roads and Highways offered the following amendment to said bill, viz.:

Amend House Bill No. 471 by inserting in line 12 after the word month: "By filing in the office of the county clerk of said county a statement showing the amount of materials furnished or labor performed on said car and the cost of same. Said statement to be filed in the same manner as the lien of mechanics and materialmen."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	J. S. Hall	W. B. O'Bannon
Chas. Ashby	L. B. Hamilton	T. P. Oliver
L. D. Baldauf	E. C. Hardin	W. F. Paris
Robert Bays	David J. Howard	Lilburn Phelps
W. T. Beckham	Joe Huddleston	Ote Piper
B. C. Beckmann	A. R. Hudson	Richard Radcliffe
J. L. Bradford	Chas. L. Hunter	Avery Sartin
R. J. Cain	J. W. Johnson	Joe Schneider
T. L. Caudel	W. H. Jones	Claude B. Smith
H. C. Chappell	Griffin Kelly	R. T. Smith
John Cook	W. F. Klair	T. J. Smith
A. S. Cooper	H. A. Knollmann	Thomas Spurrier
Fred Cornelius	Joseph Lazarus	Ben Street
A. A. Demunbrun	J. E. Lilly	John W. Swope
H. L. Dixon	Clarence Miller	John B. Thomas
W. G. Dycus	Claude D. Minor	J. Wood Vance
L. L. Embry	S. H. Moore	F. C. VanHoose
I. H. Gabbard	A. J. McCandless	G. Frank Walthal
Lark Garnett	W. P. McDonogh	W. N. Winn
M. E. Gilbert	H. C. McGehee	E. G. Young
W. H. Hager	H. C. McLellen	—62

Those who voted in the negative were—

W. P. Bowman	Everett Cobb	—2

Resolved, that the title thereof be as aforesaid.

Mr. McDonogh moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. McDonogh moved that the morning session be extended until twelve fifteen p. m.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 129. An act to amend section 148 of chapter 24 of acts of General Assembly of 1916, approved on the 18th day of March 1916, providing for the condemning of land for the use of common graded school districts.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 148 of chapter 24 of the acts of the General Assembly of Kentucky, session of 1916, approved on the 18th day of March, 1916, be and the same is hereby amended by adding after the word "district," at the end of said section, the following:

"Provided, that the board of trustees of any graded common school district may condemn any land deemed necessary by said board for a site for a graded common school, not, however, exceeding three acres, in the manner now provided by law for condemning land for railroad purposes.

Mr. McDonogh of the Committee on Rules, moved that House Bill No. 129 be recommitted to the Committee on Rules, and that House Bill No. 317 be taken from the orders of the day and placed upon its passage in the place of said House Bill No. 129.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

H. B. 317. An act to repeal an act entitled: An act to incorporate the town of Dunnville in Casey County, being chapter 694 of session acts of 1877-1878, approved March 30, 1878.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That an act entitled: "An act to incorporate the town of Dunnville, in Casey County," being chapter 694 of session acts of 1877-1878, approved March 30, 1878, be and the same is hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	J. M. Elliston	H. C. McGehee
Chas. Ashby	I. H. Gabbard	H. C. McLellen
B. S. Bailey	W. H. Hager	W. F. Paris
A. L. Baldwin	J. S. Hall	Lilburn Phelps
Robert Bays	L. B. Hamilton	Luther Pieratt
W. T. Beckham	E. C. Hardin	Ote Piper
B. C. Beckmann	David J. Howard	Richard Radcliffe
H. V. Bell	Joe Huddleston	Avery Sartin
W. P. Bowman	A. R. Hudson	Joe Schneider
J. L. Bradford	Chas. L. Hunter	Claude B. Smith
O. V. Brown	J. W. Johnson	R. T. Smith
R. J. Cain	Griffin Kelly	T. J. Smith
T. L. Caudel	W. F. Klair	Ben Street
H. C. Chappell	H. A. Knollmann	John W. Swope
Everett Cobb	M. E. Lee	Claude M. Thomas
John Cook	J. E. Lilly	Geo. F. Thompson
A. S. Cooper	Harry J. Meyers	S. G. Thornberry
W. P. Cropper	Clarence Miller	J. Wood Vance
A. A. Demunbrun	Claude D. Minor	F. C. VanHoose
H. L. Dixon	John T. Murphy	W. N. Winn
W. G. Dycus	A. J. McCandless	E. G. Young
F. A. Easterling	W. P. McDonogh	—65

Resolved, that the title thereof be as aforesaid.

Mr. McDonogh moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 139. An act to amend chapter 71 of the Acts of the General Assembly of 1916, which is an act to regulate the practice of veterinary medicine, surgery and dentistry in the state of Kentucky, to license non-graduate veterinarians, to

establish a State Board of Veterinary Examiners and to provide penalties for violation of the provisions thereof, which act was signed by the Governor on March 24, 1916.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 4 of chapter 71 of the Acts of the General Assembly of 1916 be, and the same is, hereby repealed, and in lieu thereof the following is enacted:

Section 4. Any person not entitled to a certificate of license as aforesaid, in section 3, and who desires to practice veterinary medicine, surgery or dentistry in this Commonwealth, shall, before doing so, be required to take and pass an examination before the State Board of Veterinary Examiners. The applicant shall pay a license fee of $7.00 to the State Board of Veterinary Examiners, which shall entitle said person to said examination, as hereinafter provided for. If such person passes said examination satisfactorily he shall be entitled to a license and the board shall issue to him a certificate of license signed by its president and secretary and attested by its seal. Any person, who fails to pass a satisfactory examination and is, therefore, refused a certificate of license, may be re-examined at any meeting of the board within two years of the time of such refusal without additional fee, and thereafter may be examined at any meeting of the board upon the payment of a fee of $5.00 for such examination.

§ 2. That chapter 71 of the Acts of 1916 be, and the same is, hereby amended by repealing all of section 9 of said act, and inserting in lieu thereof the following:

Section 9. The fee received for examination and issuing certificates of license shall be paid yearly to the Board of Veterinary Examiners and shall be used by said board in defraying necessary expenses of the board and in such manner

as the board may direct for the purpose of carrying out the provisions of this act.

The secretary of said board shall render an annual statement of receipts and expenses to the Commissioner of Agriculture, Labor and Statistics, who shall have the power to have the books of same examined at any time.

Each veterinarian, who has been, or who may hereafter be, licensed under the provisions of this act, shall be required to have his license renewed each year and at the time of renewal shall pay to the said Board of Veterinary Examiners a renewal fee of $2.00. The certificate of license shall be renewed as of July 1, 1918, and each year thereafter. The said board, upon the receipt of the renewal fee of $2.00, before the license shall have expired, shall issue to said veterinarian a certificate of renewal showing that the license has been extended for a period of one year.

§ 3. That section 10 of chapter 71 of the Acts of 1916 be, and the same is, hereby amended by adding thereto the following:

"And unless said certificate or license shall have been renewed from time to time as is provided for in section 9 hereof."

Said section, when thus amended, shall read as follows:

"Section 10. It shall be unlawful after the first day of January, 1917, for any person to practice veterinary medicine, surgery or dentistry or any branch thereof in this Commonwealth if he does not hold a certificate or license issued by said board and registered as required herein, and unless said certificate or license shall have been renewed from time to time as is provided for in section 9 of this act."

Mr. McDonogh moved that House Bill No. 139 be recommitted to the Committee on Rules and that Senate Bill No. 92 be taken from the orders of the day and placed upon its passage in the place of said House Bill No. 139.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 92. An act to amend chapter 71 of the acts of the General Assembly of 1916, which is an act to regulate the practice of veterinary medicine, surgery and dentistry in the State of Kentucky, to license non-graduate veterinarians, to establish a State Board of Veterinary Examiners and to provide penalties for violating the provisions thereof, which act was signed by the Governor on March 24, 1916.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 4 of chapter 71 of the acts of the General Assembly of 1916, be, and the same is hereby repealed, and in lieu thereof the following is enacted:

Section 4. Any person not entitled to a certificate of license, as aforesaid, in section 3, and who desires to practice veterinary medicine, surgery or dentistry in this Commonwealth, shall before doing so be required to take and pass an examination before the State Board of Veterinary Examiners. The applicant shall pay a license fee of $7.00 to the State Board of Veterinary Examiners, which shall entitle said person to said examination, as hereinafter provided for. If such person passes said examination satisfactorily he shall be entitled to a license and the board shall issue to him a certificate of license signed by its president and secretary and attested by its seal. Any person who fails to pass a satisfactory examination and is, therefore, refused a certificate of license, may be re-examined at any meeting of the board within two years of the time of such refusal without additional fee, and

thereafter may be examined at any meeting of the board upon the payment of a fee of $5.00 for such examination.

§ 2. That chapter 71 of the acts of 1916, be and the same is hereby amended by repealing all of section 9 of said act, and inserting in lieu thereof the following:

Section 9. The fee received for examination and issuing certificates of license shall be paid yearly to the Board of Veterinary Examiners and shall be used by said board in defraying the necessary expenses of the board and in such manner as the board may direct for the purpose of carrying out the provisions of this act.

The secretary of said board shall render an annual statement of receipts and expenses to the Commissioner of Agriculture, Labor and Statistics, who shall have the power to have the books of same examined at any time.

Each veterinarian, who has been, or who may hereafter be, licensed under the provisions of this act, shall be required to have his license renewed each year and at the time of renewal shall pay to the said board of veterinary examiners a renewal fee of $2.00. The certificate of license shall be renewed as of July 1, 1918, and each year thereafter. The said board upon the receipt of the renewal fee of $2.00 before the license shall have expired, shall issue to said veterinarian a certificate of renewal showing that the license has been extended for a period of one year.

§ 3. That section 10 of chapter 71 of the acts of 1916 be and the same is hereby amended by adding thereto the following:

"And unless said certificate or license shall have been renewed from time to time as is provided for in section 9 hereof."

Said section when thus amended shall read as follows.

"Section 10. It shall be unlawful after the first day of January, 1917, for any person to practice veterinary medicine, surgery or dentistry or any branch thereof in this Com-

monwealth if he does not hold a certificate or license issued by said board and registered as required herein, and unless said certificate or license shall have been renewed from time to time as is provided for in section 9 of this act."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen
Chas. Ashby
L. D. Baldauf
J. H. Ballard
A. L. Baldwin
Robert Bays
W. T. Beckham
B. C. Beckmann
W. P. Bowman
J. L. Bradford
O. V. Brown
R. J. Cain
John Cook
A. S. Cooper
W. P. Cropper
A. A. Demunbrun
Harry Dill
H. L. Dixon
W. G. Dycus
F. A. Easterling
J. M. Elliston
I. H. Gabbard
Lark Garnett
J. S. Hall
A. L. Hamilton
L. B. Hamilton
B. H. Harris
David J. Howard
A. R. Hudson
J. W. Johnson
Leslie P. Jones
Griffin Kelly
H. A. Knollmann
S. D. Laughlin
Joseph Lazarus
M. E. Lee
J. E. Lilly
Harry J. Meyers
Clarence Miller
Claude D. Minor
S. H. Moore
John T. Murphy
A. J. McCandless
W. P. McDonogh
H. C. McGehee
H. C. McLellen
W. B. O'Bannon
A. J. Oliver
Luther Pieratt
Richard Radcliffe
H. C. Rice
Avery Sartin
Joe Schneider
Claude B. Smith
R. T. Smith
Ben Street
John W. Swope
Claude M. Thomas
Elmore Thomas
John B. Thomas
Geo. F. Thompson
S. G. Thornberry
W. F. Trusty
J. Wood Vance
Geo. C. Waggoner
T. R. Welch
W. N. Winn

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Those who voted in the negative were—

B. S. Bailey	Joe Huddleston	T. J. Smith	
Everett Cobb	Ote Piper		—5

Resolved, that the title thereof be as aforesaid.

Mr. McDonogh moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

And then the House, at twelve fifteen p. m. recessed until two o'clock p. m.

AFTERNOON SESSION

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Ed. L. Allen	A. S. Cooper	L. B. Hamilton
Chas. Ashby	Fred Cornelius	E. C. Hardin
B. S. Bailey	W. P. Cropper	B. H. Harris
L. D. Baldauf	James S. Cruse	David J. Howard
A. L. Baldwin	J. C. Davis	Joe Huddleston
Robert Bays	A. A. Demunbrun	A. R. Hudson
W. T. Beckham	Harry Dill	Chas. L. Hunter
B. C. Beckmann	H. L. Dixon	J. W. Johnson
H. V. Bell	W. G. Dycus	Leslie P. Jones
Leroy Bonta	F. A. Easterling	W. H. Jones
W. P. Bowman	J. M. Elliston	Griffin Kelly
J. L. Bradford	I. H. Gabbard	W. F. Klair
O. V. Brown	Lark Garnett	H. A. Knollmann
R. J. Cain	M. E Gilbert	S. D. Laughlin
T. L. Caudel	W H Hager	J. E. Lilly
Everett Cobb	J. S. Hall	Harry J. Meyers
John Cook	A. L. Hamilton	Clarence Miller

John T. Murphy	Richard Radcliffe	Geo. F. Thompson
A. J. McCandless	H. C. Rice	J. T. Thornton
W. P. McDonogh	Avery Sartin	S. G. Thornberry
H. C. McGehee	Joe Schneider	W. F. Trusty
S Lee McGohan	Claude B. Smith	J. Wood Vance
W. B. O'Bannon	R. T. Smith	F. C. VanHoose
A. J. Oliver	T. J. Smith	G. C. Waggoner
T. P. Oliver	Thomas Spurrier	G. Frank Walthal
W. F. Paris	John W. Swope	T. R. Welch
Lilburn Phelps	Claude M. Thomas	W. N. Winn
Luther Pieratt	Elmore Thomas	E. G. Young
Ote Piper	John B. Thomas	—86

Mr. McDonogh moved that the afternoon session be extended indefinitely.

Said motion was agreed to.

Mr. McDonogh, of the Committee on Rules, moved that the rules be suspended for the purpose of introducing a bill.

Said motion was agreed to.

Thereupon Mr. Klair introduced the following bill, which was ordered printed and referred to the Committee on Rules, viz.:

H. B. 525. An act creating the department of State Police, providing for the appointment of a superintendent thereof, together with the officers and men, who shall constitute the force; defining their powers and duties, and making an appropriation for the expenses connected therewith.

Mr. McDonogh, of the Committee on Rules, moved that the rules be suspended and that House Bills Nos. 524 and 525 be given their first reading and placed in the Calendar.

Said motion was agreed to.

By Mr. McDonogh, of the Committee on Rules:

H. B. 524. An act to prohibit placing obstructions on public highways and fixing a penalty for the violation thereof.

By Same.

H. B. 525. An act creating the department of state police; providing for the appointment of a superintendent thereof, together with the officers and men, who shall constitute the force; defining their powers and duties, and making an appropriation for the expenses connected therewith.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

Mr. McDonogh, of the Committee on Rules, indicated the hour for the special order of the day, namely, a bill entitled:

H. B. 18. An act providing that eight hours shall constitute and be a day in all contracts for labor and service in the Commonwealth of Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in all contracts for labor and services, in any trade, occupation or profession, save and except domestic and agricultural pursuits, eight hours shall be deemed a day's work, and the measure or standard for the purpose of reckoning the compensation for services for all employes who are now or who may hereafter be employed in the Commonwealth of Kentucky.

§ 2. That no employer, contractor, or sub-contractor whose duty it is to employ, direct or control the services of

any employee, shall require such employee to work more than eight hours in any one day, unless such employee is engaged in agricultural or domestic service, or unless by agreement such employee agree to work more than eight hours in one day to shorten the last day of the week, except in cases of emergency endangering life or property; and that for any time in excess of forty-eight hours such employee works he shall receive and be paid in addition to his regular pay, not less than his pro rata and fifty per cent. thereof in addition thereto.

§ 3. That any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than $10.00 nor more than $50.00 in the discretion of the court.

Mr. Bonta offered the following amendment to said bill, viz.:

Amend House Bill No. 18 as printed, by striking from Section 1, line 2, the words "and agricultural."

Also, by striking from Section 2, line 4, the words "agricultural or."

Mr. Spurrier offered the following amendment to said bill, viz.:

Amend House Bill No. 18 by adding after the word "Kentucky" in line six, Section 1, the following:

"Provided, however, that the provisions of this act shall not be enforced or take effect until the conclusion of the present war."

Mr. Miller offered the following amendment to said bill, viz.:

Amend House Bill No. 18 by inserting in line three, Section 1, after the word "permit" the following words: "and

all, persons or corporations engaged in operating for or producing crude petroleum, oil and gas."

Mr. Minor offered the following amendment to said bill, viz.:

Amend House Bill No. 18 by striking out the words "to shorten the last day of the week" in line six of Section 2, of printed bill.

Mr. Klair offered the following amendment to said bill, viz.:

Amend House Bill No. 18, line two, Section 1, by striking out the word "agriculture."

Amend Section 2, line four, by striking out the word "agriculture."

Mr. Hudson offered the following amendment to said bill, viz.:

Amend House Bill No. 18 by striking out the words "is engaged in agricultural or domestic services" in line four of Section 2.

Mr. Phelps offered the following amendment to said bill, viz.:

Amend House Bill No. 18 by striking out the last word.

Mr. Hardin offered the following amendment to said bill by way of substitute therefor, viz.:

"*Be it enacted by the General Assembly of the Commonwealth of Kentucky*:

"Sec. 1. That the period of eight hours shall be and constitute a legal day's work for all laborers employed in the mining of coal, minerals or other valuable substance, or in

making excavations beneath the surface of the earth while searching for coal, minerals or other valuable substance, or in the construction or maintenance of railroads, railroad bridges or trolley lines, or in any rock or stone quarry, or in any mill or mills, plant or plants while engaged in crushing rocks and mine products containing minerals or ore, or engaged in separating minerals or ores from rock or such combination with which the minerals or ores are mixed, or reducing, or roasting, or refining, or smelting minerals or ores after the same have been taken from the mines.

"Sec. 2. Eight hours of labor shall be and constitute a legal day's work in any and all of the industries, occupations or employments mentioned in section one of this act and all contracts for labor in any and all of said industries, occupations or employments shall be made upon a basis of eight hours of work or labor. Provided, however, that nothing contained in this act shall be construed to prevent a laborer or laborers engaged in any of the industries, occupations or employments, mentioned in section one of this act, from working a greater length of time than eight hours in any twenty-four hours, but any such laborer or laborers shall be paid proportionate time for overtime.

"Sec. 3. Any person, firm or corporation guilty of a violation of this act shall, upon conviction, be fined not less than fifty dollars nor more than five hundred dollars for each offense."

Mr. Street moved that said bill and all pending amendments be laid on the table.

On said motion to table, the yeas and nays, being required by Messrs. Spurrier and Thornton, were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	A. L. Baldwin	J. L. Bradford
L. D. Baldauf	W. T. Beckham	R. J. Cain
J. H. Ballard	Leroy Bonta	H. C. Chappell

Everett Cobb
W. P. Cropper
James S. Cruse
J. C. Davis
A. A. Demunbrun
H. L. Dixon
W. G. Dycus
J. M. Elliston
Lark Garnett
W. H. Hager
A. L. Hamilton
David J. Howard
A. R. Hudson
Leslie P. Jones
W. H. Jones
Griffin Kelly
W. F. Klair
W. T. Lasley
Joseph Lazarus
M. E. Lee
Clarence Miller
Claude D. Minor
John T. Murphy
W. P. McDonogh
H. C. McGehee
H. C. McLellen
W. B. O'Bannon
A. J. Oliver
H. C. Rice
Joe Schneider
R. T. Smith
Ben Street
John W. Swope
Elmore Thomas
Geo. F. Thompson
S. G. Thornberry
W. F. Trusty
G. Frank Walthal
T. R. Welch
W. N. Winn
E. G. Young
—50

Those who voted in the negative were—

Ed. L. Allen
Robert Bays
B. C. Beckmann
W. P. Bowman
O. V. Brown
T. L. Caudel
John Cook
A. S. Cooper
Fred Cornelius
Harry Dill
F. A. Easterling
L. L. Embry
I. H. Gabbard
M. E Gilbert
J. S. Hall
L. B. Hamilton
E. C. Hardin
B. H. Harris
Joe Huddleston
J. W. Johnson
H. A. Knollmann
S. D. Laughlin
Harry J. Meyers
S. H. Moore
Ryland C. Musick
A. J. McCandless
S. Lee McGohan
Lilburn Phelps
Luther Pieratt
Ote Piper
Richard Radcliffe
Avery Sartin
T. J. Smith
Thomas Spurrier
Claude M. Thomas
John B. Thomas
J. T. Thornton
J. Wood Vance
Geo. C. Waggoner
—39

And so said motion was agreed to.

Mr. McDonogh, of the Committee on Rules, called from the hands of the chairman of the committees to which the same had been referred bills of the following titles, viz:

By Mr. John B. Thomas, of the Committee on Public Warehouses and Granaries.

H. B. 273. An act to amend and re-enact section 29 of chapter 17, Acts of 1916, said act being entitled: An act for the prevention of pools, trusts, conspiracies and combinations in restraint of trade, and to define same and to prescribe penalties and provide methods for the infliction thereof.

By Mr. McDonogh, of the Committee on Kentucky Statutes:

H. B. 318. An act imposing a license tax on all moving picture films exhibited in Kentucky, creating a Board of Censors to inspect same, defining the duties and powers and fixing the compensation of the members of said board, and imposing penalties upon the persons exhibiting any such pictures without such inspection, and the payment of the said license tax, and for any violation of this act.

Said bills were reported without an expression of opinion.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

Mr. McDonogh, of the Committee on Rules, called up for consideration from the orders of the day the following bills:

The House took up for consideration from the orders of the day a bill entitled:

S. B. 240. An act entitled an act to amend section 3486, 3502 of Kentucky Statutes, Carroll's Edition 1915, relating to cities of the fourth class.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3486 of Kentucky Statutes (Carroll's Edition of 1915) be amended by striking therefrom the words "a majority shall be a quorum of the board" and inserting in

lieu thereof the words "a quorum shall consist of a majority of the board or of one half of the members of the board and the mayor: A quorum is invested," so that said section when so amended shall read as follows, to-wit.:

3486. Mayor, chairman pro tem, chairman, quorum, eligibility of members. The mayor shall be chairman of the board, and in his absence a mayor and chairman pro tempore shall be elected from the members; but such person shall not perform the functions of the office of mayor unless the regular mayor has been absent from the county for at least three days, or is for any reason, unable to discharge his duties. A quorum shall consist of a majority of the board or of one-half of the members of the board and the mayor. A quorum is invested with power to act, and in the absence of a quorum two members shall have power to adjourn from time to time until a quorum is secured. In case of a vacancy in the board by death, resignation or any other cause, such vacancy shall be filled as hereinafter provided. The board shall meet at such times and places as shall be provided by ordinance. It shall judge of the eligibility and election returns of its members, adopt rules for its proceedings and government, and enforce the same by appropriate fines, not exceeding ten dollars for each offense; and three-fourths of the members voting affirmatively may, for any good cause, expel any member.

§ 2. That Section 3502 of Kentucky Statutes (Carroll's Edition of 1915) be amended by inserting after the words "he shall only vote in case of a tie" the following words "or when his vote is necessary to make a quorum" so that said section when so amended shall read as follows, to-wit :

Mayor shall preside at council meetings, vote in case of tie. The mayor or chief executive shall preside at all meetings of the board of council, and decide all points of order. He shall only vote in case of a tie or when his vote is necessary to make a quorum. He may call special sessions of the board of council by reasonable notice, whenever, in his judgment, it may be necessary, and shall do so upon the written request of four members of the council. He shall perform such other

duties as may be prescribed by ordinance not inconsistent with this charter.

§ 3. Whereas the administering of the civic affairs of cities of the fourth class is impaired by the difficulty of securing under the present law, quorums, of its boards of council, an emergency is hereby declared to exist and this act shall take and be in effect from and after its passage and approval by the Governor.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Ed. L. Allen	A. A. Demunbrun	Leslie P. Jones
Chas. Ashby	H. L. Dixon	W. H. Jones
B. S. Bailey	W. G. Dycus	Griffin Kelly
J. H. Ballard	F. A. Easterling	H. A. Knollmann
A. L. Baldwin	J. M. Elliston	Joseph Lazarus
B. C. Beckmann	I. H. Gabbard	M. E. Lee
H. V. Bell	Lark Garnett	J. E. Lilly
W. P. Bowman	M. E. Gilbert	Harry J. Meyers
J. L. Bradford	W. H. Hager	Clarence Miller
O. V. Brown	J. S. Hall	Claude D. Minor
R. J. Cain	A. L. Hamilton	S. H. Moore
T. L. Caudel	L. B. Hamilton	Ryland C. Musick
Everett Cobb	E. C. Hardin	A. J. McCandless
John Cook	David J. Howard	W. P. McDonogh
A. S. Cooper	Joe Huddleston	H. C. McGehee
Fred Cornelius	A. R. Hudson	H. C. McLellen
W. P. Cropper	Chas. L. Hunter	W. B. O'Bannon
J. C. Davis	J. W. Johnson	T. P. Oliver

W. F. Paris	R. T. Smith	John B. Thomas
Ote Piper	T. J. Smith	W. F. Trusty
Richard Radcliffe	Thomas Spurrier	F. C. VanHoose
H. C. Rice	Ben Street	G. Frank Walthal
Avery Sartin	John W. Swope	T. R. Welch
Joe Schneider	Claude M. Thomas	W. N. Winn
Claude B. Smith	Elmore Thomas	E. G. Young

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Resolved, that the title thereof be as aforesaid.

Mr. McDonogh moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 39. An act relating to the payment of poll tax where the taxpayer assess no property subject to taxation.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. When the assessor has completed his books and turned them over to the county clerk, as provided by law, and the county clerk has made a recapitulation thereof, and forwarded same to the State Tax Commission, he shall immediately make out the tax bills of all taxpayers in his county who are liable for a poll tax and who assess no property for taxation. When the bills are made out, as required by law, he shall immediately turn same over to the sheriff of the county and the sheriff may proceed to the collection of said poll tax in the manner now provided by law, and to that end he may proceed by attachment or garnishment in the manner that he is now permitted to so proceed in the collection of other taxes.

§ 2. All acts and parts of acts in conflict with this act are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Ed. L. Allen	J. M. Elliston	S. Lee McGohan
Chas. Ashby	L. L. Embry	W. B. O'Bannon
B. S. Bailey	Lark Garnett	A. J. Oliver
L. D. Bauldauf	M. E. Gilbert	W. F. Paris
J. H. Ballard	W. H. Hager	Lilburn Phelps
A. L. Baldwin	L. B. Hamilton	Ote Piper
Robert Bays	E. C. Hardin	Richard Radcliffe
W. T. Beckham	David J. Howard	H. C. Rice
B. C. Beckmann	Chas. L. Hunter	Avery Sartin
H. V. Bell	J. W. Johnson	Claude B. Smith
Leroy Bonta	Griffin Kelly	R. T. Smith
O. V. Brown	H. A. Knollmann	T. J. Smith
R. J. Cain	M. E. Lee	Thomas Spurrier
T. L. Caudel	J. E. Lilly	Ben Street
Everett Cobb	Harry J. Meyers	Elmore Thomas
John Cook	Clarence Miller	J. Wood Vance
Fred Cornelius	Claude D. Minor	F. C. VanHoose
W. P. Cropper	S. H. Moore	G. Frank Walthal
J. C. Davis	John T. Murphy	T. R. Welch
A. A. Demunbrun	Ryland C. Musick	W. N. Winn
H. L. Dixon	A. J. McCandless	E. G. Young
W. G. Dycus	W. P. McDonogh	—65

Resolved, that the title thereof be as aforesaid.

Mr. McDonogh moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 223. An act to amend an act entitled: An act to amend the school laws and to create boards of education and to define their duties in cities of the first class, which was approved March 4, 1910.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 19 of an Act entitled "An Act to amend the school laws and to create boards of education and to define their duties in cities of the first class," which was approved March 4, 1910, be repealed and that in lieu thereof the following be enacted as section 19 of said Act:

Section 19. Work of construction, alteration or repair may be done by contract or directly by the business director.

(a) The business director shall make a careful estimate of the cost of any such work. If the estimate exceeds $100.00 in amount he shall submit it in writing to the board of education, and the work must in such cases be done by contract let by the board, unless the board shall order it done directly by the business director, and shall state in its order the amount of the estimate and the board's reasons for ordering it to be done directly. If such order be entered the business di-

rector shall proceed with the work. If no such order is entered and the work is to be done, the necessary plans and specifications shall be prepared, bids shall be solicited by such advertisement as the board may provide, and the contract shall be made by the board after public letting to the lowest responsible bidder, but the board may reject all bids.

(b) Where the business director's estimate of the cost of any work of construction, alteration or repair does not exceed $100.00 he shall preserve such estimate in his office, and he may proceed to do such work directly or by contract, and in the latter case the contract may be made for the board by him. Before making any such contract he shall prepare plans and specifications if necessary, shall solicit bids in such manner as the board shall provide, and he shall make the contract with the lowest responsible bidder, but he may reject all bids.

(c) An exception to the foregoing rules is allowed where in the opinion of the business director an emergency exists and his estimate of the cost of the work does not exceed $250.00. In such case the business director may proceed, without action by the board, to do such work directly, or by contract made for the board by him. If in such case he proceed by contract he may award the contract without plans or specifications and without solicitation or bids. In every case coming under this paragraph (c) the business director must report in writing his action to the next regular meeting of the board, and he must state in writing the cost of the work and his reasons for considering that an emergency existed.

(d) Where work is done by contract no bids shall be entertained which does not comply with the specifications and with the terms of the letting.

(e) The board may withdraw or restrict to such extent as it deems proper any authority by this action conferred upon the business director to do work either by contract or directly.

§ 2. That section 20 of said act be amended by striking out the word "fifty" and inserting in lieu thereof the words

"one hundred," so that said section, as amended, shall read as follows:

Section 20. The board shall, at or prior to the beginning of each fiscal year, cause advertisements to be made under such regulations as it may provide for proposals for furnishing the supplies required in the schools and by the board in the ensuing year, and every contract therefor shall be awarded to the lowest responsible bidder complying with the terms of the letting; provided, however, that said board shall have and reserve the right to reject all bids. If other supplies are required during the year, they shall be furnished under contracts awarded in like manner, but the board may authorize the purchase of supplies not exceeding one hundred dollars in amount without letting or contract. The board shall make distribution of supplies through such agencies and in such manner as it deems proper.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	R. J. Cain	H. L. Dixon
B. S. Bailey	T. L. Caudel	W. G. Dycus
L. D. Baldauf	H. C. Chappell	L. L. Embry
J. H. Ballard	John Cook	I. H. Gabbard
W. T. Beckham	A. S. Cooper	Lark Garnett
B. C. Beckmann	Fred Cornelius	W. H. Hager
H. V. Bell	W. P. Cropper	J. S. Hall
Leroy Bonta	A. A. Demunbrun	A. L. Hamilton
W. P. Bowman	Harry Dill	L. B. Hamilton

E. C. Hardin	John T. Murphy	R. T. Smith
David J. Howard	A. J. McCandless	T. J. Smith
Joe Huddleston	W. P. McDonogh	Thomas Spurrier
A. R. Hudson	H. C. McGehee	John W. Swope
J. W. Johnson	H. C. McLellen	Claude M. Thomas
W. H. Jones	W. B. O'Bannon	Elmore Thomas
Griffin Kelly	A. J. Oliver	John B. Thomas
W. F. Klair	T. P. Oliver	Geo. F. Thompson
H. A. Knollmann	W. F. Paris	S. G. Thornberry
S. D. Laughlin	Lilburn Phelps	J. Wood Vance
Joseph Lazarus	Ote Piper	F. C. VanHoose
M. E. Lee	Richard Radcliffe	Geo. C. Waggoner
J. E. Lilly	H. C. Rice	G. Frank Walthal
Harry J. Meyers	Avery Sartin	E. G. Young
Clarence Miller	Joe Schneider	
Claude D. Minor	Claude B. Smith	—73

Resolved, that the title thereof be as aforesaid.

Mr. McDonogh moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 464. An act to regulate the pressure and quality of natural gas furnished by gas companies, and prescribing a punishment for violation thereof.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Each corporation, company or individual now engaged or which may hereafter engage in the business of furnishing and selling natural gas to residents of any city, town or county in this Commonwealth, under or by virtue of any

franchise granted by such city, town or county, which gas is supplied or delivered to the customers of the company through pipe lines, shall, at all times, furnish and deliver to its customers gas of such quality and in such quantity as shall be reasonable, adequate and proper for the purposes and uses intended therefor, and which shall not be less than seven hundred (700) British thermal units to the cubic foot as furnished at the point of consumption, and the pressure shall not be less than three ounces nor more than twelve ounces to the square inch at the point of consumption in any month for an aggregate period of twenty-four hours.

Any such corporation, company or individual which shall fail at any time to furnish, supply or deliver gas of the heat value of less than seven hundred (700) British thermal units to the cubic foot as furnished at the point of consumption shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than $100.00 nor more than $2,000.00 for each offense, and each day or fraction of a day that such offense continues shall be deemed a separate offense, provided that there shall not be more than one conviction of any corporation, company or individual for one day's violation of this act in the same city, town or county on account of the failure to furnish gas of the heat value described in this act.

Any such corporation, company or individual which shall fail to furnish, supply or deliver gas of a pressure less than three ounces or more than twelve ounces to the square inch at the point of consumption for an aggregate period of twenty-four hours in any month shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than $100.00 nor more than $2,000.00 for each offense, and each aggregate period of twenty-four hours in any month when such pressure is less than three ounces to the square inch or more than twelve ounces to the square inch at the point of consumption shall constitute and be deemed a separate offense.

§ 2. This act shall take effect and be in full force and effect on and after December 14, 1918.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	H. L. Dixon	S. Lee McGohan
B. S. Bailey	W. G. Dycus	W. B. O'Bannon
L. D. Baldauf	J. M. Elliston	T. P. Oliver
A. L. Baldwin	I. H. Gabbard	Ote Piper
Robert Bays	Lark Garnett	Richard Radcliffe
B. C. Beckmann	W. H. Hager	H. C. Rice
H. V. Bell	L. B. Hamilton	Joe Schneider
Leroy Bonta	E. C. Hardin	Claude B. Smith
W. P. Bowman	David J. Howard	R. T. Smith
J. L. Bradford	A. R. Hudson	T. J. Smith
O. V. Brown	J. W. Johnson	Ben Street
R. J. Cain	Griffin Kelly	John W. Swope
T. L. Caudel	W. F. Klair	Claude M. Thomas
Everett Cobb	H. A. Knollmann	Elmore Thomas
John Cook	S. D. Laughlin	S. G. Thornberry
A. S. Cooper	M. E. Lee	J. Wood Vance
W. P. Cropper	S. H. Moore	F. C. VanHoose
James S. Cruse	John T. Murphy	G. Frank Walthal
J. C. Davis	A. J. McCandless	T. R. Welch
A. A. Demunbrun	W. P. McDonogh	W. N. Winn
Harry Dill	H. C. McGehee	E. G. Young

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There voted in the negative—

Harry J. Meyers —1

Resolved, that the title thereof be as aforesaid.

Mr. McDonogh moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 279. An act changing the time of holding circuit courts in the Twenty-fourth Judicial District composed of the counties of Johnson and Martin.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the time for holding courts in the Twenty-fourth Judicial District of Kentucky shall be as follows:

Paintsville, in Johnson county, twenty-four juridical days—Second Monday in January and continue twenty-four juridical days; first Monday in May and continue twenty-four juridical days; first Monday in November and continue twenty-four juridical days; Inez, in Martin county, eighteen juridical days; first Monday in April and continue eighteen juridical days; second Monday in July and continue eighteen juridical days; first Monday in December and continue eighteen juridical days.

§ 2. All laws in conflict with this act are hereby repealed.

This act shall take effect and be in force on and after the first day of June, one thousand nine hundred and eighteen.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	Lark Garnett	Ote Piper
Chas. Ashby	W. H. Hager	Richard Radcliffe
B. S. Bailey	A. L. Hamilton	H. C. Rice
L. D. Baldauf	L. B. Hamilton	Avery Sartin
W. T. Beckham	E. C. Hardin	Joe Schneider
B. C. Beckmann	David J. Howard	Claude B. Smith
H. V. Bell	A. R. Hudson	R. T. Smith
Leroy Bonta	Chas. L. Hunter	Thomas Spurrier
J. L. Bradford	J. W. Johnson	Ben Street
O. V. Brown	Griffin Kelly	John W. Swope
R. J. Cain	W. F. Klair	Claude M. Thomas
T. L. Caudel	H. A. Knollmann	S. G. Thornberry
Everett Cobb	J. E. Lilly	W. F. Trusty
John Cook	Harry J. Meyers	J. Wood Vance
A. S. Cooper	Clarence Miller	F. C. VanHoose
Fred Cornelius	John T. Murphy	Geo. C. Waggoner
W. P. Cropper	A. J. McCandless	G. Frank Walthal
J. C. Davis	W. P. McDonogh	T. R. Welch
A. A. Demunbrun	H. C. McLellen	W. N. Winn
H. L. Dixon	W. B. O'Bannon	E. G. Young
W. G. Dycus	W. F. Paris	
I. H. Gabbard	Lilburn Phelps	—64

There voted in the negative—

Elmore Thomas —1

Resolved, that the title thereof be as aforesaid.

Mr. McDonogh moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 40. An act to amend and re-enact section 4039 of Kentucky Statutes, edition of 1915, relating to the assessment of real estate, or other property, owned by non-residents of the state, or of the county in which such real estate, or interest therein, or other property, is located, and providing a penalty for a failure to assess such property as herein provided.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 4039, Kentucky Statutes, edition 1915, be amended and re-enacted so that it will read as follows:

It shall be the duty of all persons owning any real or other property, mineral rights, or standing trees of any kind whatever on the lands of another, or any coal, oil, or gas privilege by lease, or otherwise, or any interest therein, in this state, other than in the county in which the said owner resides, or if said owner should reside out of the state, to list the property for taxes personally, or by an authorized agent in the county where situated at the same time and in the same manner as is now provided by law of resident owners; or to file a descriptive list of the same between the first day of July and the first day of October in each year with the county clerk of the county wherein said property is located, fixing a fair cash

value of the same, and giving the nearest resident thereto and the number of the magisterial district in which the same is located. If any owner shall refuse or fail to comply with the provisions of this act he shall be fined not exceeding $50.00, to be recovered by indictment in the county in which the property is situated, and if any owner fail to comply with the provisions of this act, either wilfully or otherwise, he shall be subject to a penalty of twenty per cent on all taxes due by him upon the assessment of said property, and the county clerk, in making out the tax bills, shall include said penalty in the tax bills of such taxpayers as may fail to comply with the provisions of this act, and the sheriff shall collect and account for such penalty the same as the taxes. No fine shall be imposed, nor penalty imposed if the property be assessed in the manner herein provided before the county board of supervisors has finally completed its work.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in acordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	O. V. Brown	H. L. Dixon
Chas. Ashby	R. J. Cain	W. G. Dycus
B. S. Bailey	Everett Cobb	F. A. Easterling
B. C. Beckmann	John Cook	I. H. Gabbard
H. V. Bell	A. S. Cooper	W. H. Hager
Leroy Bonta	W. P. Cropper	A. L. Hamilton
W. P. Bowman	J. C. Davis	L. B. Hamilton
J. L. Bradford	A. A. Demunbrun	E. C. Hardin

David J. Howard	John T. Murphy	T. J. Smith
Joe Huddleston	A. J. McCandless	Thomas Spurrier
A. R. Hudson	W. P. McDonogh	Ben Street
Chas. L. Hunter	S. Lee McGohan	John W. Swope
J. W. Johnson	H. C. McLellen	Claude M. Thomas
Griffin Kelly	W. B. O'Bannon	S. G. Thornberry
W. F. Klair	T. P. Oliver	W. F. Trusty
H. A. Knollmann	W. F. Paris	J. Wood Vance
S. D. Laughlin	Ote Piper	F. C. VanHoose
M. E. Lee	Richard Radcliffe	Geo. C. Waggoner
J. E. Lilly	H. C. Rice	G. Frank Walthal
Harry J. Meyers	Avery Sartin	T. R. Welch
Clarence Miller	Joe Schneider	W. N. Winn
S. H. Moore	Claude B. Smith	E. G. Young

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Resolved, that the title thereof be as aforesaid.

Mr. McDonogh moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 155. An act to amend and re-enact section 4251, Kentucky Statutes, Carroll's 1915 edition, relating to delinquent tax lists, and to provide for the publication of the proposed list before it is presented to or allowed by the fiscal court.

Mr. Bays moved that said bill be recommitted to the Committee on Rules.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 69. An act to amend section 2119, article 2, of chapter 66 of the Kentucky Statutes, relating to actions for divorce and the duties and fees of county attorney in respect thereto.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 2119 of the Kentucky Statutes be amended by adding to the end of said section the following language: "and in every action for divorce it shall be the duty of said attorney to read the entire record before same is submitted for judgment to the court and file therewith his written opinion as to whether or not the divorce should be granted and in all cases where he does not succeed in defeating same, he shall be allowed for his services the sum of five dollars to be taxed as costs in each such case," so that said section as amended shall read as follows: "No petition for divorce shall be taken for confessed or be sustained by the admission of the defendant alone, but must be supported by other proof. Two witnesses, or one and strong corroborating circumstances, shall be necessary to sustain the charge of adultery or lewdness. The credibility or good character of such witnesses must be personally known to the judge or to the officer taking the deposition, who shall so certify, or it must be proved. It shall be the duty of the attorney for the county to resist every application for divorce, and if successful in defeating it, he shall be allowed a fee of not exceeding twenty dollars, to be paid by the husband which he may be compelled to pay by attachment, and in every action for divorce, it shall be the duty of said attorney to read the entire record before same is submitted for judgment to the court and file therewith his written opinion as to whether or not the divorce should be granted, and in all cases where he does not succeed

in defeating same, he shall be allowed for his services the sum of five dollars to be taxed as costs in each case."

All laws and parts of laws in conflict herewith are hereby repealed.

The Committee on Judiciary offered the following amendment to said bill, viz.:

Amend House Bill No. 69, as follows:

After the word "case" in line 24, add the following words: "provided this act shall not apply to counties in which there is situated a city of the first class."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and was rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	M. E Gilbert	John T. Murphy
Robert Bays	L. B. Hamilton	Ryland C. Musick
B. C. Beckmann	B. H. Harris	Joe Schneider
H. L. Dixon	Chas. L. Hunter	Claude B. Smith
W. G. Dycus	H. A. Knollmann	Thomas Spurrier
F. A. Easterling	J. E. Lilly	Ben Street
J. M. Elliston	Harry J. Meyers	John B. Thomas
Lark Garnett	Claude D. Minor	—23

Those who voted in the negative were—

B. S. Bailey	J. W. Johnson	Richard Radcliffe
L. D. Baldauf	W. H. Jones	H. C. Rice
W. T. Beckham	Griffin Kelly	Avery Sartin
H. V. Bell	W. T. Lasley	R. T. Smith
T. L. Caudel	Joseph Lazarus	T. J. Smith
John Cook	S. H. Moore	John W. Swope
A. S. Cooper	A. J. McCandless	Claude M. Thomas
Fred Cornelius	H. C. McGehee	Geo. F. Thompson
W. P. Cropper	H. C. McLellen	S. G. Thornberry
A. A. Demunbrun	W. B. O'Bannon	J. Wood Vance
I. H. Gabbard	T. P. Oliver	F. C. VanHoose
E. C. Hardin	W. F. Paris	G. Frank Walthal
David J. Howard	Lilburn Phelps	T. R. Welch
Joe Huddleston	Luther Pieratt	W. N. Winn
A. R. Hudson	Ote Piper	E. G. Young

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And so said bill was rejected.

Mr. McDonogh moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 270. An act to prevent fraud in the sale and disposition of stocks, bonds, notes, contracts, or other securities, and certain real estate, sold or offered for sale, within the State of Kentucky, and providing penalties for the violation thereof.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That no person or persons mentioned in section six of this act, shall, as principal or agent, promote by advertisement, circular, prospectus, or any other form of public or general offering, inducement or persuasion, the issuance, transfer, distribution, sale or negotiation of any speculative securities, as hereinafter defined in section two of this act, unless prior thereto he, or they, shall have filed with the secretary of state of this state, duly verified by his, or their, oath or affirmation and accompanied by a filing fee of five dollars, a statement containing the following; provided, however, that this section shall not apply to a bona fide offer directly made to banks, bankers, brokers or trust companies who deal in such securities:

(a) A copy of the securities so to be promoted.

(b) A copy of the charter, or articles of association, and by-laws, and such other information as may be necessary to establish the character of the promotion, and validity and value of the securities, not otherwise referred to in this section.

(c) A statement in substantial detail of the assets and liabilities of the person or company issuing such securities and of any company or person guaranteeing the same, including specifically the total amount of such securities and of any securities prior thereto in interest or lien.

(d) If such securities are secured by mortage or other lien, a copy of such morigage or of the instrument creating such lien, and a competent appraisal or valuation of the property covered thereby with a specific statement of all prior liens thereon, if any.

(e) A full statement of facts showing the gross and net earnings actual or estimated, of any person or company issuing or guaranteeing such securities, or of any property covered by any such mortgage or lien.

(f) All knowledge or information in the possession of such promoter, relative to the character or value of such securities, or of the property or earning power of the person or company issuing or guaranteeing the same, including a statement that such promoter has fully investigated the same and believes the facts as stated to be reliable and true, with such exceptions, if any, as may be stated.

(g) A copy of any prospectus or advertising matter which is to be used in connection with such promotion. Such prospectus shall contain a clear and concise statement of the amount of money estimated as necessary to carry out the objects of the promotion; the price at which it is intended to sell securities; the amount of promotion expense, commissions and other overhead expenses contemplated, and the net amount to be derived by the company from the sale of each share of stock, bond, note, contract or other security, and no prospectus or other advertising matter shall be used unless the same has been filed hereunder. But in case no prospectus or advertising matter is filed or used, a statement containing the information referred to in this subsection shall be filed with the Secretary of State.

(h) The names and addresses of any agents by or through whom any securities are to be sold in this State, and no agent shall be employed or act unless such statement with respect to them has been filed hereunder.

(i) The name and address of such promoter, including the names and addresses of all partners, if the promoter be a partnership, and the names and addresses of the directors or trustees (and of any and all persons owning ten per centum or more of the capital stock), if the promoter be a corporation or association.

Suits and actions may be commenced against such person or persons in the proper court of any county in this State in which a cause of action may arise, or in which the plaintiff may reside.

§ 2. The term "speculative securities," as used in this act, shall include all the stocks and securities mentioned in section six of this act, which shall, in their subscription, issuance, sale, transfer, negotiation or distribution, be represented to yield a profit to the purchaser, or other transferee of more than eight per cent.

§ 3. No person or persons described in section six of this act, and not coming within the terms of section two of this act, shall, as principal or agent, promote by advertisement, circulation, prospectus, or any other form of public or general offering, inducement or persuasion, the issuance, sale, transfer, negotiation or distribution of any of the securities mentioned in section six of this act, without first having notified the Secretary of State, describing such securities, and if it shall appear therefrom, or from any investigation which the Secretary of State is hereby authorized to make, that such information is not sufficient to determine the character and value of such securities, or of such promotion, or of the honesty thereof, then such securities shall be taken and deemed to be speculative under the terms of the preceding section hereof, and after notice in writing by the Secretary of State, such securities shall be subject in all respects to the provisions of this act regarding speculative securities.

§ 3a. The listing and necessary description of any securities, with the price thereof, in any sales list distributed or advertised by any dealer in securities shall be subject to the provisions of this section.

§ 4. (I) In the case of a person or persons mentioned in section six of this act, not yet on a dividend paying basis, if more than five hundred dollars in cash, or the equivalent at par in the stocks or securities to be promoted, has been or is to be paid or issued for intangible assets or property taken over by such person or persons, a subscription blank showing the amount of such payment or issue, and such other information in connection therewith as may be deemed necessary by the Secretary of State, shall be filed with said Secretary of

State, and subscriptions or applications for said stocks and securities shall be recognized by such person or persons only when made upon such subscription blank and signed by the subscriber or applicant.

The Secretary of State may secure stock or securities, issued or to be issued for property or intangible assets as aforesaid, to be deposited in escrow under such terms as he may prescribe.

(II) In the case of stocks, the total promotion expense shall not exceed ten per centum of par value of stock sold, and if sold at less than par, ten per centum of the selling price.

In the case of bonds, notes, contracts, or other securities, the total promotion expense shall not exceed five per centum of par value.

(III) The provisions of sections one, two and three of this act, shall not apply to the stocks of state and national banks, building and loan associations, and corporations not organized for profit; nor to other stocks and securities.

(a) When sold pursuant to the order of any court.

(b) When sales are confined to the old stockholders of the issuing company.

(c) When the issue is taken by the incorporators only as bona fide final holders.

(d) When the issue is taken by the stockholders, bondholders, or incorporators in connection with a merger.

(e) When bona fide private holdings of promoted stocks, bonds, notes, contracts or other securities are offered for sale.

(IV) All the provisions of this section shall apply to both speculative and non-speculative securities.

§ 5. The Secretary of State shall immediately examine the papers submitted under section one of this act; provided, that as to any of the papers required to be filed under subparagraphs (c), (d) and (e) of section one, the Secretary of State may waive same, or any part thereof, if he has on

file sufficient information believed by him to be reliable with reference thereto.

If the provisions of this act are complied with, the Secretary of State shall give notice to the applicant that the papers have been filed, and notice from the Secretary of State of said filing, shall, so long as it remains unrevoked, be conclusive evidence of compliance with this act.

If, from the examination of such papers, or of any additional information or proof, or by reason of the failure to file any information or proof required as aforesaid, it shall appear that the issuance, transfer, sale, promotion, negotiation or distribution of such stocks, or securities, constitutes, or would constitute, a violation of this act, the Secretary of State shall so notify such applicant in writing, and no such applicant or other person shall thereafter issue, transfer, sell, promote, negotiate or distribute any such stocks or securities or commit any overt act in connection therewith.

Any person aggrieved by the decision of the Secretary of State under this section, shall within sixty days thereafter, have the right to petition any court having jurisdiction, or the judge thereof in vacation, for a writ of mandamus, or for other appropriate remedy, provided by existing law, for the correction of said decision, if the same be erroneous or unjust, or without jurisdiction.

§ 6. Any person, co-partnership, association or domestic corporation, or foreign corporation, doing business within the State of Kentucky, or any or all of the officers or agents thereof, alone or in conjunction with others, having devised or intending to devise any scheme or artifice to defraud any person or persons by securing subscriptions for, or by promoting or negotiating the issuance, transfer, distribution or sale of any stocks, bonds, notes, contracts, or other securities of any kind or character, who shall for the purpose of executing or attempting to execute such scheme or artifice commit any overt act within this State, shall be guilty of a felony, and upon conviction thereof, shall be punished by a fine of

not more than five thousand dollars, or by imprisonment in the penitentiary for not more than five years, or by both such fine and imprisonment, at the discretion of the court.

§ 7. If any person or persons mentioned in section six of this act, with intent to induce the purchase of any of the securities mentioned in section six of this act, or of any real estate situated outside of this State, shall knowingly or recklessly make any false statement, either oral or written, or knowingly or recklessly conceal any fact materially affecting the value of any such securities, or of such real estate, he or they shall be guilty of a felony, and upon conviction thereof shall be punished by a fine of not more than one thousand dollars, or by imprisonment in the penitentiary or county jail for not more than twelve months, or by both fine and imprisonment, at the discretion of the court, and shall be liable in damages to any party who has been occasioned loss thereby.

§ 8. Any person, whether as principal or agent, who shall knowingly make or file, or cause to be made or filed, any statement, circular, prospectus or other advertising matter required by this act, which is materially false, shall be guilty of a felony and subject to punishment as provided in section six hereof.

§ 9. Upon request of the Secretary of State, the attorney general, or the prosecuting attorney having jurisdiction, shall direct and control any prosecution for violation of this act.

§ 10. No person or persons, mentioned in section six of this act, and operating within the scope of sections one and two of this act, shall make any amendments to his or their charter, articles of incorporation, constitution, or by-laws, or any other change materially affecting any statement or representation made in his or their statement filed under section one hereof, unless he or they first prepare and file with the Secretary of State, a duly verified supplemental statement, setting forth clearly and concisely all material facts in con-

nection with the change, which said supplemental statement shall be subject in all respects to the provisions of section one hereof in like manner as the original.

§ 11. Any person or persons mentioned in section six of this act, and operating within the scope of sections one and two of this act, may appoint one or more agents, but no agent shall act, or attempt to act for or in behalf of his principal, until he shall have first registered with the Secretary of State as such agent, and for each registration, such person or persons shall pay to said Secretary of State a registration fee of two dollars. Such registration shall authorize the agent to represent such person or persons so registering him until the first day of July following, unless the registration is theretofore cancelled and recalled by such person or persons, or by the Secretary of State, for failure to comply with the provisions of this act, authority for which revocation or cancellation is hereby given to such person or persons and to said Secretary of State.

§ 12. Every person or persons mentioned in section six of this act, and operating within the scope of sections one and two of this act, shall file at the close of business on June thirtieth of each year, and at such other times as may be required by the Secretary of State, a sworn statement in such forms as may be prescribed and furnished by the Secretary of State, setting forth his or their financial condition, the amount of assets and liabilities, and such other information as the Secretary of State may require. Every regular statement of June thirtieth shall be accompanied by a filing fee of two dollars, and if such person or persons fail, neglect or refuse to file his or their regular statement within fifteen days from said date, or to file any other special report herein provided for within thirty days from receipt of request therefor, then the right of such person or persons to transact business in this State shall be deemed to be in abeyance during the continuance of such delinquency.

§ 13. The Secretary of State shall have general supervision and control over any person or persons mentioned in section six of this act, residing or doing business in this State, engaged in securing subscriptions for, or in the issuance, transfer, sale, promotion, negotiation or distribution of any speculative securities, and every such person or persons shall be subject to examination by said Secretary of State, or by his duly authorized assistants at any time he may deem it advisable. The rights, powers and privileges of the Secretary of State in making such examinations shall be the same as now provided with reference to the examination of insurance companies by the insurance commissioner, and such person or persons shall pay the expense of such examination, and their failure or refusal to pay upon the demand of the Secretary of State shall work a forfeiture of their right to do business in the State.

§ 14. Any person or persons mentioned in section six of this act shall keep proper records and books of accounts in a businesslike and intelligent manner, which shall be open to the inspection of stockholders and investors in their stocks or securities.

§ 15. Whenever it shall appear to the Secretary of State that any person or persons who have complied with the provisions of this act are insolvent, or are conducting their business in such manner as to jeopardize the interests of creditors or investors, or whenever they shall fail, neglect or refuse to file any circulars, papers, statements, prospectuses, documents or other advertising matter or reports, or to pay any of the fees required or provided for by this act, without satisfactory reason therefor, the Secretary of State may report the facts to the attorney general, or to the prosecuting attorney having jurisdiction, who shall at once make an investigation of the case and institute such proceedings in law or in equity in the name of the State, in any circuit court having jurisdiction as may be appropriate to enforce the provisions of this act, and to protect the interest of stock

and bond holders and other creditors and investors. The jurisdiction of the circuit court shall extend to the enforcement of any proper remedy now existing for the protection of any creditor, stockholder, bondholder, or other person beneficially interested, and the suit, action or proceeding may be brought in any county in which any one or more of the parties reside, or in Franklin county.

§ 16. Should the courts of this State declare any section or provision of this act, unconstitutional or unauthorized, or in conflict with any other sections, or provisions of this act, then such decision shall affect only the section of provision so declared to be unconstitutional or unauthorized, and shall not affect any other section or part of this act.

§ 17. All expenses and fees herein provided for shall be collected by the said Secretary of State and shall be accounted for and turned into the State treasury, and the amount of the expenses and fees so turned into the State treasury are hereby re-appropriated to the said Secretary of State for the purpose and in an amount sufficient to pay the cost and expense of carrying this act into effect; and the said Secretary of State is hereby authorized to appoint an additional clerk if the same shall be found by him to be actually and absolutely necessary to carry this act into full force and effect. All money actually and necessarily paid out, or expenses incurred by the said Secretary of State or any clerk under his direction, under this act, shall be paid by the State Treasurer out of such sums for expenses and fees received under this act, upon the State Auditor's warrants, to be issued upon vouchers containing an itemized account of the salaries or expenses for which the same are issued.

All expenses and fees which have been collected by the Secretary of State under the provisions of chapter thirty-two of the acts of one thousand eight hundred and ninety-three and now remaining in the State treasury and not otherwise appropriated, are hereby appropriated to the said Secretary of State for the purposes of this act.

§ 18. "Person or persons" as used in this act, shall include any person, co-partnership, association, domestic corporation or foreign corporation.

§ 19. Any person or persons, violating any of the provisions of the preceding sections of this act, for which no specific penalty is provided, shall be fined not more than five hundred dollars, or imprisoned in the county jail for not more than thirty days, or both at the discretion of the court.

§ 20. All corporations, companies, associations, partnerships and individuals now authorized under the laws of Kentucky and doing business in this State shall be deemed to have complied with the provisions of this act.

All laws or parts of laws in conflict with this act are hereby repealed.

Mr. Miller offered the following amendment to said bill by way of substitute therefor, viz.:

An act to prevent fraud in the sale and disposition of contracts, stocks, bonds, or other securities or real estate in other states, sold or offered for sale within the Commonwealth of Kentucky by any person, dealer, firm, company, association or corporation, foreign or domestic, by requiring an inspection of such contracts, stocks, bonds, or other securities, and an inspection of the business of such persons, firms, companies, associations or corporations, foreign or domestic, by requiring an inspection of such contracts, stocks, bonds or other securities, and an inspection of the business of such persons, firms, companies, associations or corporations, including dealers and agents, and such regulation and supervision of the busines of said persons, firms, companies, associations or corporations, including dealers and agents as may be necessary to prevent fraud in the sale within this state of any contracts, stocks, bonds, or other securities, and to provide a penalty for the violation thereof, and placing the supervision and enforcement of the law in the hands of the Banking Commissioner.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Banking Commissioner to be Executive Officer.—The State Banking Commisioner shall be, and he is, hereby constituted and delegated with full power and authority to supervise and enforce the provisions of this act, and he shall appoint an assistant at a salary not exceeding twenty-four hundred dollars per annum for the purpose of this act, to be paid in the same manner as the salary of the Banking Commissioner, and such Banking Commissioner shall make such rules and regulations as may be necessary to carry out the provisions herein and shall prepare all necessary blanks, records and stationery, and shall pay all other expenses lawfully incurred hereunder in the same manner as expenses of his office are now paid.

§ 2. Investment Company Defined.—Every person, corporation, co-partnership, company or association (except those exempt under the provisions of this act), origanized or which shall hereafter be organized in this Commonwealth, whether incorporated or unincorporated, which shall either himself, themselves or itself, or by or through others, sell or negotiate for the sale of any contract, stock, bonds or other securities issued by him, them, or it, within the Commonwealth of Kentucky, shall be known for the purposes of this act as a domestic investment company.

Every such person, corporation, co-partnership, or association a resident of or organized in any other State, Territory or Government shall be known for the purpose of this act as a foreign investment company.

§ 3. Securities Exempted From Operation of Act.—The provisions of this act shall not apply to, (a) securities of the United States, or any foreign government, or any state or territory thereof, or of any county, city, township, district or other public taxing subdivision of any state or territory of the United States or any foreign government; (b) unsecured commercial paper; (c) securities of public or quasi public cor-

porations, the issue of which securities is regulated by any public service commission or board of equal authority of any state or territory of the United States or securities senior thereto; (d) securities of state or national banks or trust companies and building and loan associations; (e) securities of any domestic corporation organized without capital stock, and not for pecuniary gain, or exclusively for educational, benevolent, charitable or reformatory purposes; (f) mortgages upon real or personal property situated in this state where the entire mortgage is sold and transferred with the note or notes secured by such mortgage; (g) increase of stock sold and issued to stockholders, also stock dividends; (h) securities of corporations, which corporations are listed in any standard manual of information; provided, however, that said Banking Commissioner shall have the power to call for additional and further information than that contained in such manuals with reference to any securities listed therein, and may, pending the filing of such information, suspend the sale of such securities, and also suspend, either temporarily or permanently, the sale of any securities listed in such manuals after a hearing upon notice to the issuer of such securities if, in the opinion of said Banking Commissioner the sale of such securities would work a fraud upon the purchaser thereof; (i) securities (other than those exempted in paragraphs a, b, c, d, e, f, g and h), sold or offered for sale by or through a member of a regularly organized and recognized stock exchange who has an established and lawfully conducted place of business in this state, regularly open for public patronage as such; provided, however, that said Banking Commissioner shall have power to suspend temporarily or permanently the sale of such securities by any person, firm or corporation when, in the opinion of the Banking Commissioner the sale of such security or securities would work a fraud upon the purchaser thereof.

§ 4. Method of Application and Fees Fixed.—Before selling, offering for sale, taking subscriptions for, or negotiat-

ing for the sale in any manner whatsoever in this Commonwealth any contracts, stocks, bonds, or other securities of its own issue, every investment company, domestic or foreign, shall file in the office of the Banking Commissioner a statement showing in full detail the plan upon which it proposes to transact business, a copy of all contracts, stocks, bonds, or other instruments which it proposes to make with or sell to, its contributors or customers, together with a copy of its prospectus, and of the proposed advertisements of its sale of stocks, bonds or other securities, which statement shall also show the name and location and main office of the investment company; the names and addresses of its officers, and an itemized account of its financial condition and of its assets and liabilities, and such other information touching its condition and affairs as the Banking Commissioner may require.

Is such investment company shall be a co-partnership or an unincorporated association, it shall also file with the Banking Commissioner a copy of its article of co-partnership or association, constitution and by-laws, and all other papers pertaining to its organization. If it shall be an investment company, organized under the laws of any other state, territory or government, incorporated or unincorporated, it shall also file with the Banking Commissioner a copy of the laws of the state, territory or government, under which it exists or is incorporated, and also a copy of its charter and the certificate of the proper officer of such state showing that it is authorized to transact business there, and also copies of its constitution and by-laws and of all amendments of any of the above mentioned instruments which have been made, and of all other papers pertaining to its organization. It shall also pay a filing fee of one-tenth per cent upon the face value of the securities for the sale of which application is made; provided, however, such filing fee shall not be more than one hundred dollars, nor less than ten dollars.

§ 5. Application to be Verified.—All the above described papers shall be verified by the oath of a member of the co-partnership or company, if it be a co-partnership or com-

pany, and by the oath of a duly authorized officer, if it be a corporation or an unincorporated association.

All such papers, however, as are recorded or are on file in any public office shall be further certified by the officer of whose record they form a part, as being correct copies of such records.

§ 6. Consent for Service of Process.—Every foreign investment company before offering for sale any of its stock, bonds, or other securities in this Commonwealth shall file its irrevocable written consent that suit and actions may be commenced against it in the proper courts of any county in this Commonwealth in which a cause of action may arise, or in which the plaintiff may reside, by the service of any process or pleading authorized by the laws of this Commonwealth, on the Banking Commissioner, said consent stipulating and agreeing that such service of such process or pleading on such commissioner shall be taken and held in all courts to be as valid and binding as if due service had been made on the company itself, and said instrument containing such consent shall be authenticated by the seal of said foreign investment company, and shall in such case be accompanied by a duly certified copy of the resolution of the board of directors, authorizing the president and secretary to execute the same. In any case any process or pleading mentioned in this act are served upon the Banking Commissioner, it shall be by duplicate copies, one of which shall be filed in the office of the Banking Commissioner, and another immediately forwarded by registered mail to the head of the investment company against which said process or pleadings are directed.

§ 7. Examination and Additional Information.—The said Banking Commissioner shall have power to demand from any investment company seeking to come under the provisions of this act any further information other than that which such investment company is required to furnish under the provisions of this act which shall be necessary to properly qualify him to pass upon all questions that may come before

him. He may make or have made under his direction a detailed examination of such investment company's property, business and affairs, which examination shall be at the expense of the applicant. He may cause an appraisal to be made at the expense of the investment company, of the property of the said investment company, including the value of the patents, good will, promotion and intangible assets, and he may fix the amount of stocks, bonds, or other securities that may be issued by any corporation, foreign or domestic, in payment for property, patents, good will, promotion and intangible assets at the value he shall find same to be worth, and may require that such stocks, bonds or other securities so issued for such property, patents, good will, promotion and intangible assets shall be deposited in escrow under such terms as said Banking Commissioner may prescribe. And said Banking Commissioner may withhold his certificate of authority to sell such stocks, bonds, or other securities if such corporation has issued stocks, bonds, or other securities in payment for property, patents, good will, promotion and intangible assets in excess of their value as found by said Banking Commissioner, or if said stocks, bonds or other securities are not deposited in escrow according to the terms fixed by the Banking Commissioner until such stocks, bonds, or other securities issued in payment for property, patents, good will, promotion and intangible assets in excess of the value so found by said Banking Commissioner has been surrendered to such corporation and cancelled by it, and until the said stock has been deposited in escrow under the terms prescribed by said Banking Commissioner.

§ 8. To Issue Permit, if Free From Fraud.—It shall be the duty of said Banking Commissioner to examine the statements and documents filed in his office by any investment company and the reports of any investigation conducted under the direction of said Banking Commissioner and to hear such applicant and he shall have power to examine under oath any person interested or connected with such investment

company, and if said Banking Commissioner finds that the proposed contracts, stocks, bonds or other securities are fraudulent or of such nature that the sale thereof would, in the opinion of the Banking Commissioner, work a fraud upon the purchaser, then the said Banking Commissioner shall disapprove the sale of such proposed contracts, stocks, bonds, or other securities and shall notify such investment company, by registered mail of his findings and disapproval, and it shall be unlawful for such company to do any further business in the way of selling, offering for sale, taking subscriptions for, or negotiating for the sale in any manner whatever of any such contracts, stocks, bonds or other securities in this Commonwealth, and said contracts, stocks, bonds or other securities shall not be sold in this state. If, however, such Banking Commissioner shall not find that the proposed plan of business of said investment company or that its proposed contracts, stocks, bonds or other securities are fraudulent or are of such nature that the sale thereof would in the opinion of said Banking Commissioner work a fraud upon the purchaser thereof, then he shall approve the sale of same in the Commonwealth of Kentucky, and issue his certificate in substantially the following language:

This is to certify that the.....

has this day been given permission to sell $..... of its

..... within the

(Stocks, bonds or other securities)

Commonwealth of Kentucky,

Franklin county.

THE BANKING COMMISSIONER DOES NOT RECOMMEND THE PURCHASE OF THIS SECURITY.

This.....day of....., A. D. 191.....

In witness whereof I have hereunto affixed the seal of the Bank Department.

Done at Frankfort, Kentucky, this..... day of ....., A. D. 191.....

.....

(Seal) Banking Commissioner.

The words "the Banking Commissioner does not recommend the purchase of this security," shall be printed in type two sizes larger than any other part of said certificate, and in case said certificate or the fact that said Banking Commissioner has approved said securities is printed or published in any circular, pamphlet or newspaper, the words "the Banking Commissioner does not recommend the purchase of this security" shall be printed in type two sizes larger than the balance of said certificate, or statement or such facts that such securities have been approved by said Banking Commissioner appears.

§ 9. Dealer Defined—Regulations Prescribed.—Any person, firm, co-partnership, corporation or association, whether domestic or foreign, not the issuer, who shall in this Commonwealth sell or offer for sale any of the stocks, bonds or other securities issued by any foreign or domestic investment company except the securities specifically exempted in this act, or who shall, by advertisement or otherwise, profess to, or engage in the business of selling or offering for sale such securities, shall be deemed to be a "dealer" in such securities or real estate, or any real estate situated outside of this Commonwealth, within the meaning of this act, and no dealer within the meaning of this act shall sell or offer for sale any such securities or real estate or profess the business of selling or offering for sale such securities or real estate unless and until he shall have filed a list of the same in the office of the Banking Commissioner as in this act provided. The term "dealer" shall not include an owner, not issuer, of such securities or real estate so owned by him when such sale is not made in the course of continued and successive transactions of a similar nature, nor one who, in a trust capacity, created by law, wilfully sells any securities embraced within such trust.

§ 10. How Dealer Licensed.—Any dealer desiring to sell or offer for sale within this Commonwealth any contracts, stocks, bonds or other securities or real estate not exempt un-

der the terms of this act, shall first register with the Banking Commissioner and shall furnish said Banking Commissioner upon oath in such form as the Banking Commissioner shall prescribe the following information, to-wit: the dealer's name, residence and business address, the general character of the securities or real estate to be dealt in, the place or places where the business is to be conducted within this Commonwealth, and where the business in this Commonwealth is not to be conducted by the dealer in person, then the names and addresses of all persons in charge thereof. Said dealer at the time of such registration shall pay to the Banking Commissioner an inspection fee of fifty dollars and shall furnish said Banking Commissioner with such other information in addition to that above specified as said Banking Commissioner shall deem necessary in order to thoroughly acquaint himself with the character of the business of such dealer. All authorized agents of any dealer shall be registered with the Banking Commissioner and the name of any agent shall be stricken from the register by the Banking Commissioner upon the written request of the dealer and additional agents may be registered by the Banking Commissioner upon like request of the dealer accompanied with the fee therefor; provided, that no agent shall act as such until his name and address shall be registered with the Banking Commissioner.

If the dealer be a foreign person, co-partnership, association or corporation, it shall at the time of registry with the Banking Commissioner file with the commissioner a written duly authenticated appointment of the Banking Commissioner of this Commonwealth as its agent in Kentucky upon whom process or pleadings may be served for and on behalf of the dealer for the purposes mentioned in section 6 of this act, and such appointment shall be irrevocable.

Upon compliance by such dealer with the provisions of this act, the said Banking Commissioner shall issue to him a certificate of authority under the seal of said commissioner, which said certificate shall be valid for one year from the

date thereof, unless sooner revoked by said Banking Commissioner for good cause upon notice to such dealer and a hearing duly had; provided, that in the event such certificate of authority be not revoked before the expiration of one year from the date thereof, same may be renewed by the said Banking Commissioner upon receipt of an inspection fee of twenty-five dollars.

§ 11. Agents, Fees For.—In addition to the filing, inspection and examination fees herein provided for to be paid by investment companies and dealers, there shall be charged and collected by the Banking Commissioner a fee of three dollars for the registration and authorization of each agent of any such dealer or investment company, and shall be valid until March 1 following, unless sooner revoked by the Commissioner for cause appearing sufficient, and all the fees and charges collected by the Banking Commissioner shall be turned into the Commonwealth treasury and are hereby reappropriated to the Banking Commissioner toward paying the expenses of enforcing this act.

§ 12. Accounts and Examinations—Fees For.—The general accounts of every investment company, domestic or foreign, shall be kept in a businesslike and intelligent manner and in sufficient detail that said Banking Commissioner can ascertain at any time its financial condition and the books of accounts shall at all times during business hours, except on Sundays and legal holidays, be open to stockholders and investors in said company, or the said Banking Commissioner, and all such investment companies shall be subject to examination by said Banking Commissioner, or duly authorized examiner at any time said Banking Commissioner shall deem it advisable and in the same manner as is now provided for the examination of state banks, and such investment companies shall pay a fee for each such examination not to exceed ten dollars per day or fraction thereof that any examiner is absent from the Capitol building for the purpose of making such examination, and in addition thereto shall pay the actual hotel

and traveling expenses of such authorized examiner from Frankfort and return. And the failure or refusal of any investment company to pay such fees upon demand of such Banking Commissioner or duly authorized examiner, while making such examination, shall work a forfeiture of the right of such investment company to sell or offer for sale any of its contracts, stocks, bonds or other securities in this state. In case of a preliminary examination of any investment company by said Banking Commissioner for the purpose of the ascertainment by said Banking Commissioner as to whether said company shall be permitted to come under the provisions of this act, the fee for such examination shall be the same as in this section provided, and in case it shall appear to the Banking Commissioner from the examination of such investment company, after said investment company has been authorized to sell or offer for sale its contract, stocks, bonds or other securities that the further sale of said contracts, stocks, bonds or other securities would work a fraud upon the purchaser, then the said Banking Commissioner may make an order revoking the license of such investment company to sell its contracts, stocks, bonds or other securities upon notice duly given and a hearing duly had, and may, pending such hearing, suspend the right of such investment company to sell its contracts, stocks, bonds or other securities.

§ 13. Unlawful to do Business Until Law Complied With.—It shall be unlawful for any investment company or dealer or representative thereof, either directly or indirectly, to sell or cause to be sold, offer for sale, take subscriptions for, or negotiate for the sale in any manner in this Commonwealth, any contracts, stocks, bonds or other securities (except as expressly exempted herein), unless and until said Banking Commissioner has approved thereof and issued his certificate in accordance with the provisions of this act, nor shall it be lawful for any such investment company to transact business on any other plan than that set forth in the statements and papers required to be filed by virtue of the provis-

ions of this act or the rules of the Banking Commisioner. It shall be unlawful for any investment company, or dealer or its or his agents, to issue, circulate or deliver any advertisement, pamphlet, circular, prospectus or other document in regard to its stocks, bonds or other securities in the Commonwealth of Kentucky differing in any way from the copy filed with the said Banking Commissioner as provided by this act. It shall be unlawful for any newspaper published in the Commonwealth of Kentucky to advertise the sale of any stocks, bonds or other securities which have not been approved by said Banking Commissioner or which are not exempt under the provisions of this act.

§ 14. Dealer Not to Act Until Laws Complied With.—No dealer within the meaning of this act shall sell or offer for sale within this Commonwealth any of the contracts, stocks, bonds or other securities of any investment company (except as expressly exempted herein), unless such investment company shall have fully complied with all the provisions of this act, nor until said dealer shall have registered with the Banking Commissioner under the terms of this act; provided, however, that should any dealer desire to sell or offer for sale within this Commonwealth the contracts, stocks, bonds or other securities of any investment company, which has not itself complied with the provisions of this act, said dealer shall make application to the said Banking Commissioner for license as hereinbefore provided for applications by investment companies and shall pay the same fee required to be paid by said investment company.

§ 15. Information Subject to Public Inspection.—All information obtained by the Banking Commissioner with reference to any securities and all records of the Banking Commissioner relating thereto shall be open to examination by the public, and it shall be the duty of the Banking Commissioner to preserve such information, and so classify and arrange it as to facilitate examination and inspection thereof. The Banking Commissioner may, from time to time, issue in

pamphlet form, or by newspaper advertisements, or otherwise, any and all information regarding any and all contracts, stocks, bonds or other securities sold or offered for sale within this state which he deems would be of public interest or advantage.

§ 16. Act Not to Repeal or Cancel Banking Laws.—Nothing in this act shall be construed to repeal or modify any laws giving the State Bank Department of this Commonwealth control over state banks, and the business of banking in this Commonwealth, nor shall any part of this act be construed to repeal or modify laws giving the Insurance Commissioner of this Commonwealth control of and supervision over the business of insurance in this Commonwealth and those engaged therein.

§ 17. Penalty For False Oath.—Any person who shall knowingly or wilfully subscribe to or make or cause to be made any false statement or false entry in any book of any investment company, or who shall exhibit any false paper with the intention or for the purpose of deceiving any person authorized to examine into the affairs of said investment company, or shall make or publish any false statement of the financial condition of said investment company or false statement relating to the contracts, stocks, bonds or other securities by its issued and offered for sale, shall be deemed guilty of false swearing, and shall be punished as provided by law for such offense.

§ 18. Copies May Be Furnished—Receipts Appropriated.—The Banking Commissioner shall provide for the furnishing to those who may apply therefor of any information regarding any investment company or its affairs, which is on file in its office, said Banking Commissioner to charge therefor approximately the cost of preparing such information, and fifty cents for each certificate of authentication. All fees collected under the provisions of this act shall be paid into the state treasury on the first day of each and every calendar month, and a complete record of all fees received

shall be kept in the office of the Banking Commissioner, and all said fees so turned into the state treasury are hereby reappropriated to the Banking Commissioner for the purpose of paying salaries and expenses necessary for carrying this act into effect.

§ 19. Annual Report.—Every investment company, corporation or association, domestic or foreign, shall, within ninety days after the close of its fiscal year, file each and every year a detailed statement in such form and containing such information as the Banking Commissioner may prescribe and require, showing its condition at the close of such fiscal year, and shall, at the same time, pay a filing fee therefor of two dollars and fifty cents; provided, that such Banking Commissioner may call for any other or additional reports of any kind at any time, and such other or additional reports shall be filed with the Banking Commissioner not more than twenty days after the call therefor, and for which report a like fee as above provided shall be paid.

§ 20. Penalties.—Any person or persons who shall violate any of the provisions of this act shall, except as otherwise specifically provided, be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than one thousand dollars or may be imprisoned in the county jail for not more than one year, or by both such fine and imprisonment in the discretion of the court or jury trying the case.

§ 21. Constitutionality Confined to Each Section.—Should the courts of this Commonwealth or of the United States declare any section or provision of this act unconstitutional or unauthorized, or in conflict with any other section or provision of this act, then such declaration shall affect only the section or provision so declared to be unconstitutional or unauthorized or if in conflict only such provisions or parts as are so held, and such holding shall not affect any other section or part of this act.

§ 22. Any investment company, either domestic or foreign, as defined by this act, aggrieved by the decision of the

Banking Commissioner, shall, within sixty days thereafter, have the right to petition any court having jurisdiction, or the judge thereof in vacation, for a writ of mandamus, or for other appropriate remedy provided by existing law for the correction of said decision, if the same be erroneous or unjust, or without jurisdiction.

§ 23. All laws and parts of laws in conflict herewith are hereby repealed, and this act shall be in force from and after its passage.

Said amendment by way of substitute was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended by way of substitute therefor, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	O. V. Brown	W. H. Hager
Chas. Ashby	R. J. Cain	J. S. Hall
B. S. Bailey	T. L. Caudel	A. L. Hamilton
L. D. Baldauf	Everett Cobb	L. B. Hamilton
J. H. Ballard	John Cook	E. C. Hardin
A. L. Baldwin	A. S. Cooper	B. H. Harris
Robert Bays	A. A. Demunbrun	David J. Howard
W. T. Beckham	Harry Dill	Joe Huddleston
B. C. Beckmann	H. L. Dixon	A. R. Hudson
H. V. Bell	W. G. Dycus	Leslie P. Jones
Leroy Bonta	J. M. Elliston	W. H. Jones
W. P. Bowman	I. H. Gabbard	Griffin Kelly
J. L. Bradford	M. E. Gilbert	W. F. Klair

H. A. Knollmann	W. B. O'Bannon	Ben Street
Joseph Lazarus	A. J. Oliver	John W. Swope
M. E. Lee	T. P. Oliver	Claude M. Thomas
J. E. Lilly	Lilburn Phelps	John B. Thomas
Harry J. Meyers	Ote Piper	Geo. F. Thompson
Clarence Miller	H. C. Rice	J. T. Thornton
Claude D. Minor	Avery Sartin	S. G. Thornberry
S. H. Moore	Joe Schneider	W. F. Trusty
Ryland C. Musick	Claude B. Smith	J. Wood Vance
A. J. McCandless	R. T. Smith	F. C. VanHoose
H. C. McGehee	T. J. Smith	T. R. Welch
H. C. McLellen	Thomas Spurrier	E. G. Young

—75

Those who voted in the negative were—

F. A. Easterling Chas. L. Hunter —2

Resolved, that the title thereof be as aforesaid.

Mr. McDonogh moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 444. An act to amend section 3373 of Carroll's Kentucky Statutes, edition 1915.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3373 of Carroll's Kentucky Statutes, edition 1915, be amended by striking out the word "thirty" and insert in lieu thereof the word "fifty," so that said section when amended will read as follows:

"He shall receive as his compensation fifty per cent of all fines and forfeitures recovered in said court, and which shall be collected and paid into the treasury of the city, the same to be ascertained from the monthly settlements of the marshal, and paid upon order of the council."

Mr. L. B. Hamilton offered the following amendment to said bill, viz.:

Amend House Bill No. 444, in lines three and five by striking out the word "fifty" and inserting the word "forty" in lines three and five.

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	W. P. Bowman	H. L. Dixon
Chas. Ashby	J. L. Bradford	W. G. Dycus
B. S. Bailey	O. V. Brown	J. M. Elliston
L. D. Baldauf	R. J. Cain	I. H. Gabbard
J. H. Ballard	T. L. Caudel	W. H. Hager
A. L. Baldwin	Everett Cobb	A. L. Hamilton
Robert Bays	John Cook	L. B. Hamilton
W. T. Beckham	A. S. Cooper	E. C. Hardin
B. C. Beckmann	W. P. Cropper	B. H. Harris
H. V. Bell	James S. Cruse	David J. Howard
Leroy Bonta	A. A. Demunbrun	Joe Huddleston

A. R. Hudson	W. P. McDonogh	Thomas Spurrier
Chas. L. Hunter	H. C. McGehee	Ben Street
J. W. Johnson	W. B. O'Bannon	John W. Swope
Leslie P. Jones	A. J. Oliver	Claude M. Thomas
W. H. Jones	T. P. Oliver	Elmore Thomas
W. F. Klair	W. F. Paris	John B. Thomas
H. A Knollmann	Lilburn Phelps	Geo. F. Thompson
W. T. Lasley	Ote Piper	J. Wood Vance
Joseph Lazarus	Richard Radcliffe	Geo. C. Waggoner
M. E. Lee	H. C. Rice	G. Frank Walthal
J. E. Lilly	Avery Sartin	T. R. Welch
Harry J. Meyers	Joe Schneider	W. N. Winn
S. H. Moore	Claude B. Smith	E. G. Young
John T. Murphy	R. T. Smith	
A. J. McCandless	T. J. Smith	—76

There voted in the negative—

Fred Cornelius —1

Resolved, that the title thereof be as aforesaid.

Mr. McDonogh moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 460. An act providing for the appointment of a member of the State Tax Commission to succeed the Auditor of Public Accounts on said commission.

Said bill reads as follows, viz.:

Whereas, it was necessary in the creation and establishment of the State Tax Commission in 1917 to provide that

the present Auditor of Public Accounts should be a member thereof because of his experience in assessment of certain classes of property for taxation, and, whereas, the necessity for his membership on said commission still continues, but at the expiration of his term, his successor in office as Auditor will not have the time from the duties of his office to assist in the performance of his duties as a member of the State Tax Commission, and it is not probable that he will be an experienced man in matters relating to taxation, and, for that reason, it is for the best interest of the Auditor's office as well as the State Tax Commission that a member be appointed who can devote his entire time to the duties of his office; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Governor shall appoint a third member of the State Tax Commission to succeed the Auditor of Public Accounts, but this appointment shall not be made until July 1, 1919, and the member so appointed shall serve for a term of four years from said date. Said third member shall be paid the same salary as is now provided for the members of the State Tax Commission appointed by the Governor, and the same restrictions and laws applying to the present members shall apply to the third member so appointed. His salary shall be paid out of the appropriation made for the support of the State Tax Commission. The Auditor shall continue as a member of the said commission until such third member has been appointed and qualified as herein provided.

The Committee on Revenue and Taxation offered the following amendment to said bill, viz.:

Amend House Bill No. 460 by striking out the words "said date" in line four and inserting in lieu thereof the date of his qualification.

Said amendment was adopted.

Mr. Klair moved the previous question.

The Speaker stated: Shall the main question be now put?

Said question was decided in the affirmative.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative—

Ed. L. Allen	J. M. Elliston	S. Lee McGohan
Chas. Ashby	I. H. Gabbard	W. B. O'Bannon
B. S. Bailey	Lark Garnett	A. J. Oliver
J. H. Ballard	W. H. Hager	T. P. Oliver
A. L. Baldwin	A. L. Hamilton	W. F. Paris
Robert Bays	E. C. Hardin	Ote Piper
B. C. Beckmann	Chas. L. Hunter	Joe Schneider
H. V. Bell	J. W. Johnson	Claude B. Smith
W. P. Bowman	Griffin Kelly	Thomas Spurrier
O. V. Brown	W. F. Klair	Ben Street
R. J. Cain	W. T. Lasley	John B. Thomas
A. S. Cooper	S. D. Laughlin	Geo. F. Thompson
W. P. Cropper	M. E. Lee	J. T. Thornton
James S. Cruse	J. E. Lilly	W. F. Trusty
J. C. Davis	Harry J. Meyers	G. Frank Walthal
A. A. Demunbrun	Clarence Miller	T. R. Welch
Harry Dill	Claude D. Minor	W. N. Winn
W. G. Dycus	W. P. McDonogh	E. G. Young
F. A. Easterling	H. C. McGehee	—56

Those who voted in the negative were—

L. D. Baldauf	David J. Howard	Avery Sartin
W. T. Beckham	Joe Huddleston	R. T. Smith
Leroy Bonta	A. R. Hudson	T. J. Smith
J. L. Bradford	W. H. Jones	John W. Swope
Everett Cobb	H. A. Knollmann	Claude M. Thomas
John Cook	Joseph Lazarus	Elmore Thomas
Fred Cornelius	John T. Murphy	S. G. Thornberry
H. L. Dixon	A. J. McCandless	J Wood Vance
M. E Gilbert	H. C. McLellen	F. C. VanHoose
J. S. Hall	Lilburn Phelps	Geo. C. Waggoner
L. B. Hamilton	Richard Radcliffe	—32

Resolved, that the title thereof be as aforesaid.

Mr. McDonogh moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. John B. Thomas, of the Committee on Public Warehouses and Granaries, to which the same had been referred, stated that the original House Bill No. 273 had been misplaced or lost, and moved that the printed bill of said number be substituted in the place and stead of said original bill.

Said motion was agreed to.

The House then took up for consideration from the calendar bills of the following titles, viz.:

S. B. 25. An act for the benefit of the Kentucky Schools for the Deaf, white and colored.

S. B. 111. An act for the benefit of West Kentucky College, making appropriations therefor, providing for State

ownership of lands bought or improved, and prescribing regulation for the control of said institution.

S. B. 135. An act to repeal section 3512 of the Kentucky Statutes, Carroll's, and to provide in its stead the means of procuring a special judge of the police court.

S. B. 168. An act to appropriate money to be expended by the Board of Prison Commissioners at the State Reformatory, Frankfort, Ky., for complete electric wiring throughout, heating plant for shoe factory, new boilers, electric motor and engine and dynamo.

S. B. 231. An act to prevent fraudulent advertising in the State of Kentucky.

S. B. 202. An act to amend section 2055 of the Kentucky Statutes relating to county health boards in respect to counties containing cities of the first class.

S. B. 308. An act to amend section 4706, Carroll's Kentucky Statutes of 1915, entitled: Investment of funds by fiduciary.

S. B. 142. An act to provide a method whereby an election on constitutional amendments, submitted to the people for their approval or rejection, may be contested; providing inspectors and challengers in such election; providing penalties and defining crimes in connection with such election.

S. B. 4. An act to amend an act approved December 3, 1892, entitled an act relating to interest and usury.

H. B. 344. An act to amend section 392 of the Kentucky Statutes, Carroll's edition 1915, providing for the appointment of a master commissioner, fixing his term of office and bond to be given.

H. B. 285. An act making it unlawful to own, keep or have in one's possession a pistol, without a license, and with certain exceptions, and providing penalty and means of issual of license.

The constitutional provision as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their titles and ordered to be placed in the orders of the day.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

S. B. 131. An act to amend sections 1, 7, 16, 17 and 45 of an act entitled: An act to provide an elective system of workmen's compensation for industrial accidents, and known as chapter 33 of the acts of the General Assembly of the Commonwealth of Kentucky, and approved by the Governor on March 23, 1916.

S. B. 24. An act creating a Budget Commission, prescribing its powers and duties, providing a budget system of appropriations and a method for ascertaining the expenditures of the various departments of the State government; providing for certain reports to be made to the Budget Appropriation Commission and the manner of making the same; providing for the submission to the General Assembly of a budget compiled by the Budget Appropriation Commission and fixing penalties for violations.

S. B. 53. An act repealing section 2276 of Carroll's Kentucky Statutes relating to the pay of jurors and re-enacting the same with certain modifications thereof.

S. B. 137. An act to repeal sections 15, 16 and 104 of chapter 24, acts of the General Assembly of 1916, approved March 18, 1916, relating to the distribution of the State

school funds and county school funds, length of school terms and payment of teachers' salaries, and substituting new sections therefor; providing for the distribution of said funds, for the length of school terms, for the time and manner of paying teachers' salaries and for an increase of such salaries.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered that the Enrolling Clerk deliver said bills to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a resolution of the following title, viz.:

S. Res. 17. Joint resolution allowing Nat. M. Elliott the sum of $50.00 for services rendered the Probe Committee.

Whereupon all other business was suspended, said resolution was read at length and compared in open House and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session, in the presence of the House, affixed his signature to said resolution.

Ordered, that the Enrolling Clerk deliver said resolution to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a bill of the following title, viz.:

H. B. 138. An act to abolish the assessor's office and to provide in lieu thereof a county tax commission; prescribing

the duties and qualifications of the county tax commission, and the duties of taxpayers in relation thereto.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said bill.

Ordered, that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enroling Clerk delivered the original and enrolled bill, which originated in the House, to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bill which originated in the House, and which was signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Klair moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

FRIDAY, MARCH 15, 1918.

The House was opened with prayer by the Rev. J. T. McGlothlin, pastor of the Baptist Church of the city of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz:

Ed. L. Allen
Chas. Ashby
L. D. Baldauf
J. H. Ballard
Robert Bays
W. T. Beckham
B. C. Beckmann
H. V. Bell
Leroy Bonta
W. P. Bowman
J. L. Bradford
O. V. Brown
R. J. Cain
T. L. Caudel
H. C. Chappell
John Cook
A. S. Cooper
Fred Cornelius
J. C. Davis
A. A. Demunbrun
H. L. Dixon
W. G. Dycus
F. A. Easterling
L. L. Embry
I. H. Gabbard
Lark Garnett
M. E. Gilbert
W. H. Hager
J. S. Hall
A. L. Hamilton
L. B. Hamilton
E. C. Hardin
B. H. Harris
Joe Huddleston
A. R. Hudson
Chas. L. Hunter
J. W. Johnson
Leslie P. Jones
W. H. Jones
Griffin Kelly
W. F. Klair
H. A. Knollmann
S. D. Laughlin
M. E. Lee
J. E. Lilly
Harry J. Meyers
Clarence Miller
Claude D. Minor
S. H. Moore
John T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
H. C. McGehee
S. Lee McGohan
W. B. O'Bannon
T. P. Oliver
W. F. Paris
Luther Pieratt
Ote Piper
Richard Radcliffe
H. C. Rice
Avery Sartin
Joe Schneider
Claude B. Smith
R. T. Smith
T. J. Smith
Ben Street
John W. Swope
Claude M. Thomas
Elmore Thomas
John B. Thomas
Geo. F. Thompson
J. T. Thornton
S. G. Thornberry
W. F. Trusty
J. Wood Vance
F. C. VanHoose
Geo. C. Waggoner
G. Frank Walthal
T. R. Welch
W. N. Winn
E. G. Young
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On motion of Mr. L. B. Hamilton the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

Mr. Davis moved that the Sergeant-at-Arms be appointed and authorized to purchase a group picture of this House for the purpose of presenting same to Mr. Speaker Crowe.

Said motion was agreed to.

Mr. Meyers, of the Committee on Rules, to which committee the same had been referred, reported bills of the following titles with the expression that same ought to pass, viz.:

S. B. 244. An act to repeal and re-enact chapter 67 of the Acts of the General Assembly of 1910, relating to courts of justice.

S. B. 245. An act to amend section 227 of the Constitution of the Commonwealth relating to the removal of officers for misfeasance, malfeasance or neglect of duty.

S. B. 184. An act to amend and re-enact subsection 1, section 4780-A, chapter 133, of Kentucky Statutes, relating to oil warehouses.

S. B. 87. An act to amend subsection 19 of section 1550 of the Kentucky Statutes relative to primary elections.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

Mr. Meyers, of the Committee on Rules, called from the hands of the chairmen of the committees to which the same had been referred bills of the following titles, viz,:

By Mr. Rice, of the Committee on State Normal Schools:

S. B. 193. An act authorizing the State Board of Education to issue certificates to teach to students of educational institutions not supported by state funds within the state of Kentucky; creating a board of regents to inspect normal schools for determining what institutions are entitled to such privileges; defining the conditions under which such privileges shall be granted; and repealing all laws or parts of laws in conflict therewith.

By Mr. Thornberry, of the Committee on Retrenchment and Reform:

S. B. 155. An act to prevent idleness in the Commonwealth of Kentucky during the continuance of the war in which the United States is now engaged, and prescribing the duties of civil and police officers of the state.

Said bills were reported without expression of opinion.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

The House took up for consideration from the calendar bills of the following titles, viz.:

S. B. 121. An act to amend and re-enact section 1074 of Kentucky Statutes, Carroll's edition 1915, so as to enlarge the jurisdiction of county courts in the trial of misdemeanor cases under certain conditions.

H. B. 521. An act to amend and re-enact section 1 of chapter 5 of the Acts of the Special Session held in 1917, entitled: An act relating to revenue and taxation, and providing a license tax on distilled spirits, known as double stamp spirits, providing for the distribution of said fund, and providing penalties for the violation of its provisions, by striking from section 1 thereof the word "two" and inserting in lieu thereof the word "ten."

S. B. 159. An act to suppress, prevent, control and eradicate communicable diseases in live stock, to provide the necessary officers and define their duties and powers, and to appropriate funds necessary for its enforcement, and repealing section 63a of article 2, chapter 5, Carroll's 1915 edition, Kentucky Statutes.

S. B. 169. An act to repeal and re-enact section 12 of chapter 43, Acts of the General Assembly of 1916, which act is entitled: An act to amend and re-enact chapter 142 of the Acts of the General Assembly of the Commonwealth, approved March 19, 1912, entitled an act to provide for the organization, armament, discipline and government of the militia, and in so doing to provide for the organization, armament, equipment, discipline and government of a state guard, and making an appropriation for same.

S. B. 79. An act relating to charitable institutions, and providing and appropriating an annual per capita for the pauper and part pay inmates of the Eastern, Western and Central State Hospitals, and for the Kentucky Institute for Feeble-Minded Children, and fixing the amount of per capita to be paid by inmates of said institutions who may be able to pay, and repealing laws in conflict.

S. B. 191. An act to provide for the commitment, care, treatment, training, segregation and custody of feeble-minded, epileptic and insane persons, to provide an appropriation therefor and to repeal all acts inconsistent herewith, and specifically sections 264 to 271 inclusive of the Kentucky Statutes, Carroll's edition of 1915, which concern the Kentucky Institute for the Feeble-Minded Children, and sections 2156 to 2171, inclusive, of the Kentucky Statutes, Carroll's edition of 1915, which concern idiots and lunatics, and provide penalties for the violation of this act.

H. B. 523. An act to regulate the weighing and stamping of milk.

S. B. 165. An act relating to the Bureau of Agriculture, Labor and Statistics, providing that it shall do demonstration work and may co-operate with state and government authorities in holding agricultural meetings and making an appropriation therefor.

H. B. 273. An act to amend and re-enact section 20 of chapter 17, Acts of 1916, said act being entitled: An act for the prevention of pools, trusts, conspiracies and combinations in restraint of trade, and to define same and to prescribe penalties and provide methods for the infliction thereof.

H. B. 318. An act imposing a license tax on all moving picture films exhibited in Kentucky, creating a board of censors to inspect same, defining the duties and powers and fixing the compensation of the members of said board, and imposing penalties upon the persons exhibiting any such pictures without such inspection, and the payment of the said license tax, and for any violation of this act.

H. B. 524. An act to prohibit placing obstructions on public highways and fixing a penalty for the violation thereof.

H. B. 525. An act creating the department of state police, providing for the appointment of a superintendent thereof, together with the officers and men, who shall constitute the force; defining their powers and duties, and making an appropriation for the expenses connected therewith.

The constitutional provision as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their titles and ordered to be placed in the orders of the day.

Mr. Meyers, of the Committee on Rules, offered the following amendment to the rules of the House, viz.:

"When the previous question has been ordered on any measure no member shall be allowed to explain his vote."

Mr. Meyers moved that said amendment be adopted.

Said motion was agreed to.

Said amendment was adopted.

Mr. Meyers moved that the vote by which said amendment was adopted be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Meyers, of the Committee on Rules, called up for consideration from the orders of the day the following bills in the following order:

The House took up for consideration from the orders of the day a bill of the following title:

H. B. 472. An act to amend and re-enact section 2922, Kentucky Statutes, Carroll's edition 1915, relating to appeals to circuit courts and Court of Appeals.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 2922 of the Kentucky Statutes, Carroll's edition of 1915, be, and the same is, hereby repealed and reenacted so that said section shall read as follows:

§ 1. Appeals may be taken from the decisions of said court to the circuit court in all cases. In cases where a fine is imposed under an ordinance, the legality of said ordinance may be tested by the city by an appeal to the Jefferson Circuit Court or by the defendant by a writ of prohibition to the Jefferson Circuit Court, and, after a decision has been rendered in the circuit court, as provided for in this section, either the city or the accused may appeal to the Court of Appeals as other cases in the circuit court are appealed. In

all cases in which the judgment prescribes imprisonment, the defendant may have an appeal to the circuit court, and thence to the Court of Appeals.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Mr. Allen moved that said bill be laid on the table.

Said motion was disagreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	Chas. L. Hunter	H. C. Rice
J. H. Ballard	J. W. Johnson	Joe Schneider
B. C. Beckmann	Griffin Kelly	Claude B. Smith
O. V. Brown	W. F. Klair	Thomas Spurrier
H. C. Chappell	H. A. Knollmann	Ben Street
W. P. Cropper	J. E. Lilly	W. F. Trusty
J. C. Davis	Harry J. Meyers	G. Frank Walthal
W. G. Dycus	W. P. McDonogh	T. R. Welch
J. M. Elliston	W. B. O'Bannon	W. N. Winn
W. H. Hager	A. J. Oliver	E. G. Young
A. L. Hamilton	T. P. Oliver	—32

Those who voted in the negative were—

Ed. L. Allen	W. T. Beckham	J. L. Bradford
L. D. Baldauf	Leroy Bonta	R. J. Cain
Robert Bays	W. P. Bowman	T. L. Caudel

Everett Cobb	A. R. Hudson	Ote Piper
John Cook	Leslie P. Jones	Richard Radcliffe
A. S. Cooper	W. H. Jones	Avery Sartin
Fred Cornelius	S. D. Laughlin	R. T. Smith
James S. Cruse	Joseph Lazarus	T. J. Smith
A. A. Demunbrun	Clarence Miller	John W. Swope
Harry Dill	Claude D. Minor	Claude M. Thomas
L. L. Embry	S. H. Moore	Elmore Thomas
I. H. Gabbard	John T. Murphy	Geo. F. Thompson
Lark Garnett	A. J. McCandless	J. T. Thornton
L. B. Hamilton	H. C. McGehee	S. G. Thornberry
B. H. Harris	W. F. Paris	J. Wood Vance
David J. Howard	Lilburn Phelps	F. C. VanHoose
Joe Huddleston	Luther Pieratt	Geo. C. Waggoner

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And so said bill was rejected.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 418. An act to amend section 822, chapter 32, Kentucky Statutes, Carroll's edition, 1915.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 822, chapter 32, of the Kentucky Statutes, Carroll's edition, 1915, be amended as follows: Strike out the following words in lines five and six: "Appoint a secretary and one stenographer at a salary of twelve hundred dollars per year to each," and insert the following words: "Appoint a secretary at eighteen hundred dollars, a stenographer at twelve hundred dollars," and when said section is so amended it will read as follows:

Section 822. Office at Frankfort—Salaries of Commissioners—Rate Clerk—Secretary and Stenographer—Trans-

portation.—The office of the commission shall be at the seat of government, and they shall be provided with suitable offices, furniture and stationery, by the state, and may appoint a secretary at eighteen hundred dollars, a stenographer at twelve hundred dollars, and one rate clerk at eighteen hundred dollars per year, which shall be paid by the state. Each commissioner shall, before entering upon the duties of office, take an oath to discharge faithfully the duties of his office, and they shall receive an annual salary of three thousand dollars, except the chairman, who shall receive thirty-six hundred dollars per annum, and their actual necessary traveling expenses while engaged in the discharge of their duties, which, together with the salaries of the secretary, rate clerk and stenographer, shall be paid in the same manner as the salary of the Governor, except that before any expenses are paid, the chairman of the commission shall file with the Auditor an itemized statement of said expenses, signed by him and approved by the Governor, which statement shall be filed before any warrant can be issued therefor, and except that each railroad corporation in the Commonwealth shall bear portion of said traveling expenses incurred by said commissioners for transporting over its lines, and shall either pay same to the Auditor, to be covered into the treasury, or, in lieu thereof, may issue to the Commonwealth, for the use of said commissioners, rate clerk and stenographer, written or printed authority entitling them to be transported over their respective lines when engaged in the discharge of their official duties, without charge or compensation.

Mr. Musick moved that said bill be laid on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 428. An act to amend an act approved March 14, 1912, entitled: An act to regulate the employment of females in order to safeguard their health.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 1 of an act approved March 14, 1912, entitled "An act to regulate the employment of females in order to safeguard their health," be and it is hereby amended by adding thereto the following words:

"No female under the age of twenty-one years shall be employed or suffered or permitted to work at any time as a messenger for a telegraph or messenger company in the distribution, transmission or delivery of goods or messages."

So that said section as amended shall read as follows:

"1. No female under twenty-one years of age shall be employed or suffered or permitted to work at any gainful occupation except domestic service and nursing, more than sixty hours in any one week, nor more than ten hours in any one day. No female under the age of twenty-one years shall be employed or suffered or permitted to work at any time as a messenger for a telegraph or messenger company in the distribtuion, transmission or delivery of goods or messages."

§ 2. That section 2 of an act approved March 14, 1912, entitled "An act to regulate the employment of females in order to safeguard their health," be and it is hereby amended by adding thereto the following words:

"No female of whatever age shall be employed or suffered or permitted to work as a messenger for a telegraph or messenger company in the distribution, transmission or delivery of goods or messages more than six days or sixty hours in any one week, or more than ten hours in any one day, or

before seven o'clock in the morning or after nine o'clock in the evening of any day."

So that said section as amended shall read as follows:

"2. No female of whatever age shall be employed, or suffered, or permitted to work in any laundry, bakery, factory, workshop, store or mercantile, manufacturing or mechanical establishment, or hotel, restaurant, telephone exchange or telegraph office, more than sixty hours in any one week. No female of whatever age shall be employed or suffered or permitted to work as a messenger for a telegraph or messenger company in the distribution, transmission or delivery of goods or messages more than six days or sixty hours in any one week, or more than ten hours in any one day, or before seven o'clock in the morning or after nine o'clock in the evening of any day."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	Leroy Bonta	Fred Cornelius
Chas. Ashby	W. P. Bowman	W. P. Cropper
B. S. Bailey	J. L. Bradford	James S. Cruse
L. D. Baldauf	O. V. Brown	J. C. Davis
Robert Bays	R. J. Cain	A. A. Demunbrun
W. T. Beckham	H. C. Chappell	Harry Dill
B. C. Beckmann	Everett Cobb	H. L. Dixon
H. V. Bell	A. S. Cooper	W. G. Dycus

F. A. Easterling	Harry J. Meyers	Joe Schneider
J. M. Elliston	Claude D. Minor	Claude B. Smith
L. L. Embry	S. H. Moore	T. J. Smith
I. H. Gabbard	Ryland C. Musick	Thomas Spurrier
Lark Garnett	A. J. McCandless	Ben Street
M. E Gilbert	H. C. McGehee	John W. Swope
J. S. Hall	S. Lee McGohan	Claude M. Thomas
A. L. Hamilton	H. C. McLellen	Elmore Thomas
E. C. Hardin	W. B. O'Bannon	John B. Thomas
B. H. Harris	A. J. Oliver	Geo. F. Thompson
David J. Howard	T. P. Oliver	J. T. Thornton
Joe Huddleston	W. F. Paris	W. F. Trusty
A. R. Hudson	Lilburn Phelps	F. C. VanHoose
J. W. Johnson	Luther Pieratt	Geo. C. Waggoner
Leslie P. Jones	Ote Piper	G. Frank Walthal
W. H. Jones	Richard Radcliffe	W. N. Winn
W. F. Klair	H. C. Rice	E. G. Young
H. A. Knollmann	Avery Sartin	—77

Those who voted in the negative were—

W. H. Hager	Griffin Kelly	S. G. Thornberry
L. B. Hamilton	R. T. Smith	—5

Resolved, that the title thereof be as aforesaid.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 25. An act to amend an act of the General Assembly of the Commonwealth of Kentucky, approved March 12, 1912, and being section 4021a Kentucky Statutes, Carroll's, entitled: An act limiting the time in which the enforce-

ment of tax titles and tax liens may be effected; and to provide a limit of time in which tax liens may be enforced, and possession of, or title to, property sold for taxes may be recovered, and in which actions for the quieting of title to lands sold for taxes and the cancellation of tax deeds may be maintained.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the act enacted by the General Assembly and approved March 12, 1912, entitled, "An act limiting the time in which the enforcement of tax titles and tax liens may be effected," being now section 4021a, Kentucky Statutes (Carroll) be, and the same is hereby amended by adding thereto the following, to-wit:

§ 2. No action shall be maintained by the former owner, or any person claiming under him, to recover the possession, or the title, or the claim of title, to any land, or any interest therein, which shall have been sold for non-payment of taxes, and conveyed by deed, or to quiet the title, or claim of title, so sold, or to cancel such deed, against any person claiming under such deed, when at the time of such sale for taxes such land was vacant or not in the actual possession of the owner of the title, or claim of title, so sold for taxes, or those claiming under the owner, unless such action be brought within five years after the recording of such deed in the office of the clerk of the county court of the county in which such land lies. Whenever any such action shall be commenced to avoid any tax deed heretofore or hereafter executed by the officials authorzed by law to execute tax deeds, after the expiration of five years from the date of the recording of such deed, unless action be brought by a person who was under legal disability at the time the right of action accrued, such deed,

if executed substantially in the manner and form prescribed by law for the execution of tax deeds, shall be conclusive evidence of the existence and legality of all proceedings from and including the assessment of the property for taxation up to and including the execution of such deed.

§ 3. The limitation for bringing the actions mentioned in the preceding section shall not apply to any person who is under legal disability at the time the right of action accrued, but such person may bring such action or actions after the time limited at any time within one year after the removal of such disability. Nor shall such limitation in favor of a tax deed, or certificate, except in cases of actual possession founded on a tax deed, apply where the taxes for non-payment of which the land was sold and the deed executed were paid prior to the sale, or where the land was redeemed from the operation of such sale as provided by law, or where the land was not liable to taxation.

§ 4. This act shall be construed as retrospective; but if at the time it goes into effect the limitation herein provided has run against any person affected hereby, then in such event the person so affected shall have an additional period of two years within which to maintain any of the actions referred to in this act, unless the institution of such actions is otherwise barred by some other statute of limitation in force in this Commonwealth.

§ 5. All laws and parts of laws in conflict herewith are hereby repealed.

So that said act when amended shall read as follows, to-wit:

§ 1. No action or other proceeding for the enforcement of any lien for taxes or for recovery of possession of any property which has been sold for taxes shall be maintained unless such action or proceeding is commenced within five years from the date on which said taxes become in arrears.

§ 2. No action shall be maintained by the former owner, or any person claiming under him, to recover the possession, or the title, or the claim of title, to any land, or any interest therein, which shall have been sold for non-payment of taxes, and conveyed by deed, or to quiet the title, or claim of title, so sold, or to cancel such deed, against any person claiming under such deed, when at the time of such sale for taxes such land was vacant or not in the actual possession of the owner of the title, or claim of title, so sold for taxes, or those claiming under the owner unless such action be brought within five years after the recording of such deed in the office of the clerk of the county court of the county in which such land lies. Whenever any such action shall be commenced to avoid any tax deed heretofore or hereafter executed by the officials authorized by law to execute tax deeds, after the expiration of five years from the date of the recording of such deed, unless action be brought by a person who was under legal disability at the time the right of action accrued, such deed, if executed substantially in the manner and form prescribed by law for the execution of tax deeds, shall be conclusve evidence of the existence and legality of all proceedings from and including the assessment of the property for taxation up to and including the execution of such deed.

§ 3. The limitation for bringing the actions mentioned in the preceding section shall not apply to any person who is under legal disability at the time the right of action accrued, but such person may bring such action or actions after the time limited at any time within one year after the removal of such disability. Nor shall such limitation in favor of a tax deed, or certificate, except in cases of actual possession founded on a tax deed, where the taxes for non-payment of which the land was sold and the deed executed were paid prior to the sale, or where the land was redeemed from the operation of such sale as provided by law, or where the land was not liable to taxation.

§ 4. This act shall be construed as retrospective; but if at the time it goes into effect the limitation herein provided has run against any person affected hereby, then in such event the person so affected shall have an additional period of two years within which to maintain any of the actions referred to in this act, unless the institution of such action is otherwse barred by some other statute of limitation in force in this Commonwealth.

§ 5. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	H. L. Dixon	H. A. Knollmann
Chas. Ashby	W. G. Dycus	S. D. Laughlin
L. D. Baldauf	J. M. Elliston	Joseph Lazarus
Robert Bays	L. L. Embry	J. E. Lilly
W. T. Beckham	I. H. Gabbard	Harry J. Meyers
B. C. Beckmann	W. H. Hager	S. H. Moore
W. P. Bowman	J. S. Hall	Ryland C. Musick
J. L. Bradford	A. L. Hamilton	A. J. McCandless
R. J. Cain	L. B. Hamilton	W. P. McDonogh
T. L. Caudel	E. C. Hardin	H. C. McGehee
H. C. Chappell	David J. Howard	S. Lee McGohan
W. P. Cropper	Chas. L. Hunter	H. C. McLellen
J. C. Davis	J. W. Johnson	W. B. O'Bannon
A. A. Demumbrun	Griffin Kelly	A. J. Oliver
Harry Dill	W. F. Klair	T. P. Oliver

W. F. Paris	Thomas Spurrier	J. T. Thornton
Luther Pieratt	Ben Street	J. Wood Vance
Ote Piper	John W. Swope	Geo. C. Waggoner
H. C. Rice	Claude M. Thomas	G. Frank Walthal
Joe Schneider	Elmore Thomas	E. G. Young
Claude B. Smith	John B. Thomas	
T. J. Smith	Geo. F. Thompson	—64

Those who voted in the negative were—

B. S. Bailey	James S. Cruse	Avery Sartin
O. V. Brown	Lark Garnett	R. T. Smith
Everett Cobb	B. H. Harris	S. G. Thornberry
A. S. Cooper	Joe Huddleston	F. C. VanHoose
		—12

Resolved, that the title thereof be as aforesaid.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 450. An act to amend and re-enact section 7 of chapter 7 of the Acts of the Extraordinary Session of 1917 relating to reports for corporation license tax.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 7 of chapter 7 of the Acts of the Extraordinary Session of 1917 be amended and re-enacted so it will read as follows:

"Domestic corporations and foreign corporations owning property or transacting business in this state, shall make such

report to the tax commission in a manner provided in this section on or before February first succeeding their incorporation, or succeeding their becoming the owner of property or transacting business in this state; and shall make such report on or before said date annually thereafter. And except as provided in section 6 such corporation shall pay the annual license tax at the rate and in the proportion provided in section 3, and in all respects be subject to the provisions and penalties in this section contained and prescribed, but the State Tax Commission may, for good cause shown, extend the time for filing said report for a period not longer than thirty days."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	Fred Cornelius	A. L. Hamilton
Chas. Ashby	W. P. Cropper	L. B. Hamilton
B. S. Bailey	J. C. Davis	E. C. Hardin
W. T. Beckham	W. G. Dycus	B. H. Harris
B. C. Beckmann	F. A. Easterling	David J. Howard
J. L. Bradford	J. M. Elliston	Joe Huddleston
O. V. Brown	L. L. Embry	Griffin Kelly
R. J. Cain	I. H. Gabbard	W. F. Klair
T. L. Caudel	Lark Garnett	H. A. Knollmann
H. C. Chappell	M. E. Gilbert	J. E. Lilly
Everett Cobb	W. H. Hager	Harry J. Meyers
A. S. Cooper	J. S. Hall	Claude D. Minor

Ryland C. Musick	Luther Pieratt	John W. Swope
A. J. McCandless	Ote Piper	Claude M. Thomas
W. P. McDonogh	Richard Radcliffe	John B. Thomas
H. C. McGehee	H. C. Rice	Geo. F. Thompson
S. Lee McGohan	Lewis Ryans	J. T. Thornton
H. C. McLellen	Avery Sartin	J. Wood Vance
W. B. O'Bannon	Joe Schneider	Geo. C. Waggoner
A. J. Oliver	Claude B. Smith	T. R. Welch
T. P. Oliver	R. T. Smith	W. N. Winn
W. F. Paris	Thomas Spurrier	E. G. Young
Lilburn Phelps	Ben Street	—68

Those who voted in the negative were—

A. A. Demunbrun	A. R. Hudson	T. J. Smith
H. L. Dixon	J. W. Johnson	—5

Resolved, that the title thereof be as aforesaid.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 348. An act to repeal section 3745, Kentucky Statutes, edition 1915, relating to eligibility of Senators and Representatives in the General Assembly.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3745, Kentucky Statutes, edition 1915, be, and the same is, hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen
Chas. Ashby
B. S. Bailey
L. D. Baldauf
W. T. Beckham
B. C. Beckmann
W. P. Bowman
J. L. Bradford
O. V. Brown
T. L. Caudel
H. C. Chappell
Everett Cobb
A. S. Cooper
Fred Cornelius
W. P. Cropper
James S. Cruse
J. C. Davis
A. A. Demunbrun
H. L. Dixon
W. G. Dycus
F. A. Easterling
J. M. Elliston
I. H. Gabbard
Lark Garnett
W. H. Hager
J. S. Hall
A. L. Hamilton
B. H. Harris
David J. Howard
Joe Huddleston
A. R. Hudson
J. W. Johnson
Leslie P. Jones
W. H. Jones
Griffin Kelly
W. F. Klair
H. A. Knollmann
S. D. Laughlin
J. E. Lilly
Harry J. Meyers
Clarence Miller
Claude D. Minor
John T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
H. C. McGehee
H. C. McLellen
W. B. O'Bannon
A. J. Oliver
W. F. Paris
Lilburn Phelps
Luther Pieratt
Lewis Ryans
Avery Sartin
Claude B. Smith
R. T. Smith
T. J. Smith
Thomas Spurrier
Ben Street
John W. Swope
Claude M. Thomas
John B. Thomas
Geo. F. Thompson
J. T. Thornton
S. G. Thornberry
W. F. Trusty
J. Wood Vance
F. C. VanHoose
Geo. C. Waggoner
T. R. Welch
W. N. Winn
E. G. Young

—73

Resolved, that the title thereof be as aforesaid.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 407. An act regulating the sale of nursery stock.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That furit trees, fruit bearing shrubs and woody vines and all buds, grafts or other parts of such nursery stock, grown and offered for sale in Kentucky or shipped or delivered within this state, shall bear a printed or written certificate from the owner or owners stating that such stock has been fumigated in a gas tight box or house with hydro cyanic acid gas for at least fifty minutes by a formula approved by the State Entomologist of Kentucky.

§ 2. It shall be unlawful for any person knowingly to misrepresent to any other person the grade, character, variety or quality of stock in a nursery or of stock offered for sale by any nurseryman, or dealer, or agent, or to make a false declaration of acreage or to cause any concealment of such stock from inspection. Anyone violating the provisions of this section may be prosecuted at any time within one year after said stock begins to bear fruit.

§ 3. Any nurseryman residing outside of this state and doing business in this state, shall file each year with the State Entomologist of Kentucky copies of all inspection certificates issued to them.

§ 4. Any person, or persons, selling nursery stock in Kentucky as nurserymen, agents or dealers, shall first file with the State Entomologist an affidavit giving the name or names and the address of such nurserymen, agents or dealers, as well as the name or names of all growers from whom

said nurserymen, agents or dealers secure their stock and every agent shall be required to have a certificate from his principal or principals, or from the nursery or nurseries for which he sells stock showing that such agent or agents are duly authorized to act for such principal or principals, or nursery or nurseries. All agents and dealers shall be required to have in their possession a certificate from the State Entomologist showing that they are duly authorized to sell nursery stock in the state of Kentucky, which certificate shall be prescribed and issued by the State Entomologist.

§ 5. Any person violating the provisions of this act or offering any hindrance to the carrying out of this act shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than $20.00 nor more than $100.00 for each offense; each misrepresentation or each act denounced by the provisions of this act shall be considered a separate offense.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	H. V. Bell	W. P. Cropper
Chas. Ashby	Leroy Bonta	J. C. Davis
B. S. Bailey	W. P. Bowman	A. A. Demunbrun
L. D. Baldauf	J. L. Bradford	H. L. Dixon
J. H. Ballard	R. J. Cain	W. G. Dycus
Robert Bays	T. L. Caudel	I. H. Gabbard
W. T. Beckham	Everett Cobb	M. E. Gilbert
B. C. Beckmann	John Cook	J. S. Hall

L. B. Hamilton	John T. Murphy	R. T. Smith
E. C. Hardin	Ryland C. Musick	T. J. Smith
David J. Howard	A. J. McCandless	Ben Street
Joe Huddleston	H. C. McGehee	John W. Swope
A. R. Hudson	S. Lee McGohan	Claude M. Thomas
Chas. L. Hunter	W. B. O'Bannon	John B. Thomas
J. W. Johnson	A. J. Oliver	Geo. F. Thompson
H. A. Knollmann	W. F. Paris	S. G. Thornberry
W. T. Lasley	Lilburn Phelps	J. Wood Vance
Joseph Lazarus	Luther Pieratt	Geo. C. Waggoner
M. E. Lee	Ote Piper	G. Frank Walthal
J. E. Lilly	Avery Sartin	T. R. Welch
Harry J. Meyers	Joe Schneider	W. N. Winn
Claude D. Minor	Claude B. Smith	E. G. Young

—66

There voted in the negative—

F. C. VanHoose —1

Resolved, that the title thereof be as aforesaid.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 155. An act to amend and re-enact section 4251, Kentucky Statutes, Carroll's 1915 edition, relating to delinquent tax lists, and to provide for the publication of the proposed list before it is presented to or allowed by the fiscal court.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That it shall be the duty of the sheriff fifteen days next before presenting to the fiscal court for allowance the delinquent list of the county, to post at the front door of the court house a complete and true copy of the list which he proposes to offer to the fiscal court for allowance, and to cause it to be published at least twice in a newspaper published in the county, having the largest circulation therein; and the fiscal court shall not consider or allow a delinquent list, or any part thereof, until the same has been so posted and published by the sheriff for at least fifteen days next before he offers the same for allowance.

(§ 4251.) The fiscal court, before allowing and certifying any delinquent list, upon the application of the sheriff, shall administer to the sheriff and his deputies the following oath: "You do swear that this list of insolvent and delinquents, now before the court and returned by you, is just and true, as you believe according to the knowledge which you have, and that you have been to the residence (if in the county) of the party from which the tax is due, and that you can not find any property liable to sale for taxes, and that you will true answers make to all questions asked you touching said lists, and the efforts made by you to collect the amount thereof." The court shall then proceed to examine the sheriff to ascertain the truth of the facts, and upon such answers and other evidence, and their own knowledge, to allow such portions of the lists as may be right, which, being certified as allowed, shall entitle the sheriff to a credit in his official settlement.

All acts and parts of acts in conflict herewith are hereby repealed.

Mr. Bays offered the following amendment to said bill by way of substitute therefor, viz.:

Amendment by way of substitute for House Bill 155.

An act to amend and re-enact section 4251, Kentucky Statutes, Carroll's edition 1915, relating to delinquent tax lists, and to provide for publication of the proposed lists before it is presented, or allowed by the fiscal court.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 4251, Kentucky Statutes, be amended by adding thereto the following:

"That it shall be the duty of the sheriff fifteen days next before presenting to the fiscal court for allowance the delinquent list of the county, to post at the front door of the court house a complete and true copy of the list which he proposes to allow to the fiscal court for allowance, and to cause it to be published at least twice in a newspaper published in the county having the largest circulation therein, and the fiscal court shall not consider or allow a delinquent list, or any part thereof, until same has been posted and published by the sheriff for at least fifteen days before he offers the same for allowance."

So that said section, when amended and re-enacted, shall read as follows:

"That it shall be the duty of the sheriff fifteen days next before presenting to the fiscal court for allowance the delinquent list of the county, to post at the front door of the court house a complete and true copy of the list, which he proposes to allow to the fiscal court for allowance, and to cause it to be published at least twice in a newspaper published in the county, having the largest circulation therein, and the fiscal court shall not consider or allow a delinquent list, or any part thereof, until the same has been so posted and published by

the sheriff for at least fifteen days next before he offers the same for allowance.

"The fiscal courts, before allowing and certifying any delinquent list, upon the application of the sheriff, shall administer to the sheriff and his deputies the following oath: 'You do swear that this list of insolvents and delinquents, now before the court and returned by you, is just and true, as you believe, according to the knowledge which you have, and that you have been to the residence (if in the county) of the party from which the tax is due, and that you can not find any property liable to sale for taxes, and that you will true answers make to all questions asked you touching said lists, and the efforts made by you to collect the amount thereof.' The court shall then proceed to examine the sheriff to ascertain the truth of the facts, and upon such answers and other evidence, and their own knowledge, to allow such portions of the lists as may be right, which, being certified as allowed, shall entitle the sheriff to a credit in his official settlement."

Said amendment by way of substitute was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended by way of substitute therefor, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	Robert Bays	R. J. Cain
Chas. Ashby	W. T. Beckham	T. L Caudel
B. S. Bailey	B. C. Beckmann	Everett Cobb
L. D. Baldauf	O. V. Brown	John Cook

A. S. Cooper	Griffin Kelly	Avery Sartin
Fred Cornelius	W. F. Klair	Joe Schneider
W. P. Cropper	H. A. Knollmann	Claude D. Minor
James S. Cruse	W. T. Lasley	R. T. Smith
A. A. Demunbrun	J. E. Lilly	T. J. Smith
Harry Dill	Harry J. Meyers	Ben Street
H. L. Dixon	Clarence Miller	John W. Swope
W. G. Dycus	Claude D. Minor	Claude M. Thomas
I. H. Gabbard	John T. Murphy	Elmore Thomas
Lark Garnett	Ryland C. Musick	John B. Thomas
W. H. Hager	W. P. McDonogh	Geo. F. Thompson
J. S. Hall	S. Lee McGohan	S. G. Thornberry
A. L. Hamilton	H. C. McLellen	J. Wood Vance
L. B. Hamilton	W. B. O'Bannon	F. C. VanHoose
E. C. Hardin	A. J. Oliver	Geo. C. Waggoner
B. H. Harris	T. P. Oliver	G. Frank Walthal
Joe Huddleston	W. F. Paris	W. N. Winn
A. R. Hudson	Lilburn Phelps	E. G. Young
J. W. Johnson	Luther Pieratt	
W. H. Jones	H. C. Rice	—70

Resolved, that the title thereof be as amended.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 320. An act conferring authority upon State Tax Commission to participate in and be made a party to all proceedings and suits for the appraisement of estates and the collection of inheritance taxes thereon and requiring certain notices and information to be furnished it by the judges and clerks of the county courts, and providing that it shall be represented by county attorneys or by special counsel to be em-

ployed by it, and directing that all suits in foreign jurisdictions for the collection of said tax shall be brought by it, and empowering it to issue certificates authorizing domestic corporations to transfer stocks owned by non-resident decedents not subject to tax.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be the duty of the clerk of the county court to furnish a report to the State Tax Commission in all cases where application has been made for the issue of letters of administration or letters of testamentary or ancillary letters, which report shall contain the name, residence and date of death of said decedent, the estimated value of his real and personal property, the names, places and relationship to him or his heirs at law, and the legatees and devisees in any will of any such decedent, the amount of each legacy and the estimated value of any real estate transferred, and the name of the transferee thereof. The county court shall require this information to be filed before granting any of said letters of administration. Said reports shall be on forms furnished to the clerks of said county courts by the State Tax Commission. In cases where no appraiser is appointed under the inheritance tax laws of this Commonwealth, the county judge, before assessing or fixing the value of any estate, income or interest for the purpose of imposing and collecting inheritance taxes thereon, shall give notice to the State Tax Commission of his intention so to do, and shall also forward to the State Tax Commission copies of all orders entered by him in relation to or affecting in any way the transfer tax on any estate, including orders of exemption.

§ 2. The State Tax Commission is hereby empowered to make application to the county court in which said tax settlement proceedings are pending, if there then be no appraiser,

for the appointment of some competent person as appraiser as often and whenever occasion may require, and in every case where an appraiser is appointed, it shall be his duty to give notice by mail to the State Tax Commission of the time and place at which he will appraise the value of any inheritance tax, devise, bequest or other interest subject to the payment of the inheritance tax, and the said tax commission shall have the right to be represented at the hearing, to cross-examine witnesses, and to introduce evidence as to the value of any estate, income or interest.

§ 3. The State Tax Commission shall have the right to appeal from any order of the county court assessing and fixing the value and imposing a tax upon any such estate, income or interest. All proceedings for the appraisement of any estate, income or interest, and all orders of the county court assessing and fixing the value thereof, and imposing taxes thereon, shall be void in the event that the requirements hereinbefore provided for with reference to giving of notice and making reports to the State Tax Commission are not complied with.

§ 4. The State Tax Commission may require the county attorney of any county which has jurisdiction to appraise and collect the taxes on any estate, income or interest, to represent it in all such proceedings, and said county attorney shall carry out and enforce the recommendations and directions of the tax commission in all matters pertaining to the conduct of inheritance tax affairs. The State Tax Commission may also, when it deems it to be to the interest of the Commonwealth to do so, employ special counsel to represent it and the Commonwealth in any proceedings for the assessment and collection of inheritance taxes; however, in such cases there shall be a written contract between said attorneys and the State Tax Commission prescribing the duties to be performed by said attorneys and the compensation to be received therefor, but in no event shall the compensation and expenses

to be paid such attorneys in any particular case exceed ten (10%) per cent of the amount of the tax collected.

§ 5. The State Tax Commission shall be made a party, either as plaintiffs or defendants, to all suits instituted for the collection of any tax, and shall have the right to appeal from any and all orders made in such suits, and no settlement thereof or compromise agreement therein shall be made unless the said tax commission shall be made a party and expressly thereto in writing. Suits in foreign jurisdictions for the collection of inheritance taxes due this Commonwealth shall be brought by the State Tax Commission in the names of the individual members in their official capacities, and shall be conducted by the Attorney General of the Commonwealth or by special counsel employed by said tax commission, in the event special counsel be employed, subject to the general supervision of the Attorney General. All money collected in such suits in foreign jurisdictions shall be immediately paid to the Auditor of Public Accounts.

§ 6. The State Tax Commission is hereby empowered to issue its certificate to the foreign executor or administrator of any non-resident decedent authorizing a domestic corporation to transfer stocks owned by said decedent in such corporation, in cases where such shares of stock are not chargeable with the payment of inheritance taxes under the laws of this Commonwealth. Before issuing such certificate, the State Tax Commission may require the foreign executor or administrator to furnish it such information as will enable it to determine that said shares of stock are exempt from said tax.

Mr. Meyers moved that the morning session be extended indefinitely.

Said motion was agreed to.

Mr. Murphy offered the following amendment to House Bill No. 320, viz.:

Amend House Bill No. 320 by striking out section four of the printed bill.

Mr. McDonogh offered the following amendment to said bill, viz.:

Amend section one by striking out of lines nine and ten the words:

"The county court shall require this information to be filed before granting any of said letters of administration."

Mr. Musick offered the following amendment to said bill, viz.:

Amend House Bill No. 320 by striking out all of lines nine, section one, page 2, after the word "thereof," and all of line ten down to and including the word "administration."

Mr. Knollman moved that said bill and all pending amendments be laid on the table.

Said motion was agreed to.

Mr. Meyers, of the Committee on Rules, called up for consideration from the Clerk's deck a resolution of the following title, namely:

S. Res. 19. Resolution for the benefit of Frank Rives, F. L. Hamby, J. L. Early and Roy L. McFarland.

Said resolution reads as follows, viz.:

Whereas, F. L. Hamby instituted a contest against Frank Rives before the Senate contesting the seat of said Rives as Senator from the Sixth Senatorial District of Kentucky, composed of the counties of Christian and Hopkins; and,

Whereas, the said contest has been determined by the Senate in favor of the said Rives, and it has been decided that he was duly elected Senator from the said Sixth Senatorial district; and,

Whereas, J. L. Early instituted a contest against Roy L. McFarland before the Senate contesting the seat of said McFarland, as Senator from the Eighth Senatorial District of Kentucky, composed of the counties of Daviess and McLean; and,

Whereas, the said contest has been determined by the Senate in favor of said J. L. Early, and it has been decided that he was the duly elected Senator from the said Eighth Senatorial District and has taken his seat and qualified as such; and,

Whereas, it became necessary for the contestants and contestees in each of the foregoing contests to employ attorneys to represent each of them in the preparation and hearing of said contests, the said attorneys preparing the notices of contests and all other legal papers required and conducting the hearing of the contest before the contest committee; and,

Whereas, it appears that the sum of $150.00 would be and is a reasonable fee for compensation and expenses for the services of the attorneys for the contestant, F. L. Hamby, and that $150.00 would be and is a reasonable fee for expenses and services of attorneys for the contestee, Frank Rives, and that $150.00 would be and is a reasonable fee for the expenses and services of attorneys for the contestant, J. L. Early, and that $150.00 would be and is a reasonable fee for the services and expenses of attorneys for the contestee, Roy L. McFarland; now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the sum of $150.00, being his expenses and attorneys' fees above mentioned, be, and the same is, hereby allowed to F. L. Hamby, and that the sum of $150.00 as expens-

es and attorneys' fees above mentioned be, and the same is, hereby allowed Frank Rives, and that the sum of $150.00, being his expenses and attorneys' fees above mentioned, be, and the same is, allowed to J. L. Early, and that the sum of $150.00, being his expenses and attorneys' fes above mentioned, be, and the same is, hereby allowed Roy L. McFarland, on account of said contest; and,

Be it further resolved, that the Auditor of Public Accounts of the Commonwealth of Kentucky be, and he is, hereby directed to draw his warrant on the State Treasurer, out of funds not otherwise appropriated, for the sum of $150.00 in favor of F. L. Hamby, and for the sum of $150.00 in favor of Frank Rives, and for the sum of $150.00 in favor of J. L. Early, and for the sum of $150.00 in favor of Roy L. McFarland.

Mr. Meyers moved that said resolution be adopted.

The yeas and nays being taken on the adoption of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	H. L. Dixon	W. H. Jones
B. S. Bailey	W. G. Dycus	W. F. Klair
L. D. Baldauf	F. A. Easterling	S. D. Laughlin
W. T. Beckham	J. M. Elliston	J. E. Lilly
B. C. Beckmann	I. H. Gabbard	Harry J. Meyers
J. L. Bradford	Lark Garnett	Clarence Miller
O. V. Brown	M. E. Gilbert	S. H. Moore
T. L. Caudel	W. H. Hager	John T. Murphy
H. C. Chappell	L. B. Hamilton	Ryland C. Musick
A. S. Cooper	E. C. Hardin	A. J. McCandless
W. P. Cropper	B. H. Harris	W. P. McDonogh
James S. Cruse	David J. Howard	S. Lee McGohan
J. C. Davis	A. R. Hudson	H. C. McLellen
A. A Demunbrun	J. W. Johnson	W. B. O'Bannon

A. J. Oliver	Avery Sartin	W. F. Trusty
W. F. Paris	Joe Schneider	J. Wood Vance
Lilburn Phelps	R. T. Smith	F. C. VanHoose
Luther Pieratt	John W. Swope	T. R. Welch
Ote Piper	Geo. F. Thompson	E. G. Young
H. C. Rice	J. T. Thornton	—59

Those who voted in the negative were—

Joe Huddleston	Chas. L. Hunter	S. G. Thornberry

—3

And so said resolution was adopted.

A message was received from the Senate announcing that they had adopted a resolution and passed bills which originated in that body of the following titles, viz.:

S. Res. 27. A joint resolution asking the Governor to terminate the employment of all assistants, experts or attorneys who have been employed pursuant to the provisions of section 340a of Kentucky Statutes.

To the Committee on Rules.

S. B. 316. An act to create a State Board of Control for the management and supervision of the penal and eleemosynary institutions of this state, to vest in said board all the powers, duties and privileges now vested by law in the Board of Control and the Board of Prison Commissioners of the State of Kentucky, fixing the salaries of the members and terminating the terms of office of the members of said existing boards.

To the Committee on Rules.

S. B. 317. An act to enlarge and extend the powers, duties and privileges of the Insurance Commissioner and providing for the appointment of a Superintendent of Fire In-

surance Rates and prescribing his duties and fixing his salary, and abolishing the State Insurance Board and attorney therefor.

To the Committee on Rules.

S. B. 318. An act abolishing the office of State Forester and State Geologist and creating the office of Commissioner of Geology and Forestry, providing for a deputy and fixing salaries and extending the appropriation to the Kentucky Geological Survey so as to cover the same and that of the State Board of Forestry, repealing portion of sections 1905c, 2007a and 2007b, Kentucky Statutes, Carroll's edition of 1915.

To the Committee on Rules.

S. B. 321. An act to create an efficiency and economy commission, prescribing its duties, and fixing for the payment of the expenses thereof.

To the Committee on Rules.

S. B. 324. An act relating to public printing and binding, and to require state departments, boards, commissions and institutions to submit annual or biennial reports of special or extraordinary printing to the Board of Printing Commissioners before the printing thereof.

To the Committee on Rules.

S. B. 326. An act to provide for the approval and payment of all members of boards, institutions, departments or commissions, accounts for traveling expenses of state officers, agents, attorneys or employes that are to be paid out of the state treasury.

To the Committee on Rules.

S. B. 329. An act to abolish certain offices, terminating the terms of the present incumbents, repealing appropriations provided for such offices and enlarging and extending the powers, duties and privileges of certain other offices.

To the Committee on Rules.

Mr. Meyers moved that this house do now recess until two o'clock p. m.

Said motion was agreed to.

AFTERNOON SESSION.

Upon a roll call to ascertain the presence of a quorum the call resulted as follows, viz.:

Chas. Ashby	W. G. Dycus	Ryland C. Musick
B. S. Bailey	I. H. Gabbard	A. J. McCandless
L. D. Baldauf	Lark Garnett	W. P. McDonogh
J. H. Ballard	M. E. Gilbert	H. C. McGehee
Robert Bays	W. H. Hager	S. Lee McGohan
W. T. Beckham	A. L. Hamilton	W. B. O'Bannon
B. C. Beckmann	B. H. Harris	T. P. Oliver
H. V. Bell	David J. Howard	W. F. Paris
J. L. Bradford	Joe Huddleston	Lilburn Phelps
O. V. Brown	Chas. L. Hunter	Luther Pieratt
R. J. Cain	J. W. Johnson	Ote Piper
T. L. Caudel	Griffin Kelly	H. C. Rice
Everett Cobb	H. A. Knollmann	Lewis Ryans
John Cook	S. D. Laughlin	Avery Sartin
A. S. Cooper	Joseph Lazarus	Joe Schneider
Fred Cornelius	M. E. Lee	Claude B. Smith
J. C. Davis	J. E. Lilly	R. T. Smith
A. A. Demunbrun	Harry J. Meyers	Ben Street
H. L. Dixon	S. H. Moore	John W. Swope

Claude M. Thomas	W. F. Trusty	T. R. Welch	
Elmore Thomas	J. Wood Vance	W. N. Winn	
John B. Thomas	F. C. VanHoose	E. G. Young	
J. T. Thornton	Geo. C. Waggoner		
S. G. Thornberry	G. Frank Walthal		—70

Mr. Meyers, of the Committee on Rules, called up for consideration from the orders of the day bills of the following titles in the following order:

The House took up for consideration from the orders of the day a bill entitled:

H. B. 265. An act to amend and re-enact sections 1896 and 1900, Kentucky Statutes, edition 1915, relating to the destruction of fish by dynamite or any explosive, and the killing of fish by shooting with a gun or pistol, or killing fish by any drug, injurious substance or medicated bait.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That sections 1896 and 1900, Kentucky Statutes, edition 1915, be amended and re-enacted so that the two sections together will read as follows:

Any person or persons who shall place, or cause to be placed, in any of the waters of this state, any dynamite or other explosive agents with intent thereby to kill, injure or catch fish shall be guilty of a felony, and, upon conviction, shall be confined in the penitentiary for a period not less than one year nor more than five years, and any person who shall aid, assist, counsel or advise the so doing, shall be equally guilty as a principal.

Any person who shall shoot into any of the waters of this state with a gun or pistol loaded with balls of hard sub-

stance, or any person who shall place, or cause to be placed, in any of the running waters of this state any drug, injurious substance or medicated bait with intent to injure, kill, poison or catch fish, shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than $100.00 and not more than $500.00 for each offense. For a second conviction or any succeeding conviction of a violation of this act, the penalty imposed shall be double that imposed for the first conviction.

§ 2. All laws and parts of laws in conflict with this act are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	John Cook	Griffin Kelly
Chas. Ashby	A. S. Cooper	H. A. Knollmann
B. S. Bailey	Fred Cornelius	S. D. Laughlin
L. D. Baldauf	James S. Cruse	Joseph Lazarus
J. H. Ballard	A. A. Demunbrun	J. E. Lilly
Robert Bays	H. L. Dixon	Harry J. Meyers
W. T. Beckham	W. G. Dycus	S. H. Moore
B. C. Beckmann	F. A. Easterling	John T. Murphy
H. V. Bell	I. H. Gabbard	Ryland C. Musick
Leroy Bonta	Lark Garnett	A. J. McCandless
J. L. Bradford	W. H. Hager	W. P. McDonogh
O. V. Brown	L. B. Hamilton	H. C. McGehee
R. J. Cain	David J. Howard	S. Lee McGohan
H. C. Chappell	Joe Huddleston	H. C. McLellen
Everett Cobb	J. W. Johnson	W. B. O'Bannon

T. P. Oliver	R. T. Smith	W. F. Trusty
W. F. Paris	T. J. Smith	J. Wood Vance
Lilburn Phelps	Ben Street	F. C. VanHoose
Luther Pieratt	John W. Swope	G. C. Waggoner
Ote Piper	Claude M. Thomas	G. Frank Walthal
H. C. Rice	Elmore Thomas	T. R. Welch
Lewis Ryans	John B. Thomas	W. N. Winn
Joe Schneider	J. T. Thornton	E. G. Young
Claude B. Smith	S. G. Thornberry	—71

Resolved, that the title thereof be as aforesaid.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 453. An act amending section 684 of subdivision IV of article IV, chapter 32, of the Kentucky Statutes, 1915, pertaining to insurance other than life.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That so much of section 684 of subdivision IV of chapter 32 of Kentucky Statutes, which reads that the capital stock of fire insurance companies shall be divided into shares of one hundred dollars each, be, and the same is, hereby amended by striking out the words "shall be divided into shares of one hundred dollars each," and inserting in lieu thereof the words "may be divided into shares of ten dollars each," so that said section, as amended, will read as follows:

"No stock company shall be incorporated under this law with a smaller capital than fifty thousand dollars, which stock may be divided into shares of ten dollars each, nor shall any company, on the plan of mutual insurance, commence business in this state until agreement has been entered into, for insurance with at least two hundred applicants, the premiums on which shall amount to not less than one hundred thousand dollars, of which at least fifty thousand dollars shall have been paid in cash and notes of solvent parties founded on actual and *bona fide* applications for insurance shall have been received for the remainder. No one of the notes received as aforesaid shall amount to more than five hundred dollars, and no two shall be given for the same risk, or be made by the same person or firm, except where the whole amount of such notes shall not exceed five hundred dollars, nor shall any note be represented as capital stock unless a policy be issued upon the same within thirty days after the organization of the company, upon a risk which shall be for no shorter period than twelve months. Each of said notes shall be payable in part or in whole any time when the directors shall deem the same requisite for the payment of the losses by fire, or inland navigation, or such incidental expenses as may be necessary for transacting the business of said company. And no note shall be accepted as part of such capital stock unless the same shall be accompanied by a certificate of a justice of the peace of the precinct where the person making such note shall reside, that the person making the same is, in his opinion, pecuniarily responsible for the same, and no such note shall be surrendered during the life of the policy for which it was given. Mutual fire insurance companies organized under this law, or any law of this state, may charge and collect in advance upon their policies, a full annual premium in cash, but such policies shall not compel subscribers, insured or assured, to renew any policy nor pay a second or further annual or term premium. Any such company must, in its by-laws and its policies, fix, by a uniform

rate, the contingent mutual liability of its members for the payment of losses and expenses, and such contingent liabilities shall not be less than three nor more than five annual cash premiums as written in this policy; but such liability shall cease with the expiration of the time for which a cash premium has been paid in advance, except for liability incurred during that time."

§ 2. All certificates of stock heretofore issued by insurance companies, other than life insurance companies, in good faith of the par value of ten dollars each are now validated as though issued after the passage of this amendment.

All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Radcliffe offered the following amendment to said bill by way of substitute therefor, viz.:

An act relating to stock fire insurance companies, permitting such companies to issue certificates of capital stock of the par value of ten dollars.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1st. No stock fire insurance company shall be incorporated under the laws of this state with a smaller capital than fifty thousand dollars, which stock may be divided into shares of ten dollars each.

2nd. All certificates of stock heretofore issued by insurance companies, other than life insurance companies, in good faith of the par value of ten dollars each are now validated as though issued after the passage of this amendment.

All laws and parts of laws in conflict herewith are hereby repealed.

Said substitute amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and was rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	James S. Cruse	H. C. McGehee
B. S. Bailey	J. M. Elliston	H. C. McLellen
W. T. Beckham	M. E. Gilbert	A. J. Oliver
W. P. Bowman	A. L. Hamilton	Richard Radcliffe
H. C. Chappell	Harry J. Meyers	
Fred Cornelius	Ryland C. Musick	—16

Those who voted in the negative were—

J. H. Ballard	Joe Huddleston	Joe Schneider
B. C. Beckmann	J. W. Johnson	Claude B. Smith
H. V. Bell	Griffin Kelly	R. T. Smith
Leroy Bonta	H. A. Knollmann	T. J. Smith
O. V. Brown	S. D. Laughlin	Thomas Spurrier
R. J. Cain	M. E. Lee	John W. Swope
T. L. Caudel	J. E. Lilly	Elmore Thomas
Everett Cobb	S. H. Moore	John B. Thomas
John Cook	John T. Murphy	J. T. Thornton
A. S. Cooper	A. J. McCandless	S. G. Thornberry
W. G. Dycus	S. Lee McGohan	W. F. Trusty
I. H. Gabbard	W. B. O'Bannon	J. Wood Vance
Lark Garnett	T. P. Oliver	Geo. C. Waggoner
W. H. Hager	Luther Pieratt	G. Frank Walthal
J. S. Hall	H. C. Rice	T. R. Welch
L. B. Hamilton	Lewis Ryans	W. N. Winn
David J. Howard	Avery Sartin	E. G. Young

—51

And so said bill was rejected.

Mr. Meyers moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Siad motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 500. An act to repeal an act to incorporate the town of Ford, Clark county, Kentucky, and an act amendatory thereto.

Said bill reads as follows viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That an act entitled "An act to incorporate the town of Ford, in Clark county," which became a law March 7, 1888, (Session Acts 1887-8, chapter 424, page 872), and an act entitled "An act to amend the charter of the town of Ford," which became a law May 22, 1890, (Session Acts of 1889-90, chapter 1739, page 1316), be, and the same are, hereby repealed, and said charter and amended charter be, and the same are, now annulled.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	J. S. Hall	Lilburn Phelps
P. S. Bailey	A. L. Hamilton	Luther Pieratt
L. D. Baldauf	L. B. Hamilton	Ote Piper
J. H. Ballard	David J. Howard	H. C. Rice
W. T. Beckham	Joe Huddleston	Lewis Ryans
H. V. Bell	J. W. Johnson	Avery Sartin
Leroy Bonta	W. H. Jones	Joe Schneider
J. L. Bradford	Griffin Kelly	Claude B. Smith
O. V. Brown	M. E. Lee	R. T. Smith
R. J. Cain	J. E. Lilly	T. J. Smith
T. L. Caudel	Harry J. Meyers	Ben Street
Everett Cobb	Clarence Miller	John W. Swope
A. S. Cooper	S. H. Moore	Claude M. Thomas
Fred Cornelius	John T. Murphy	Elmore Thomas
James S. Cruse	Ryland C. Musick	John B. Thomas
A. A. Demunbrun	A. J. McCandless	Geo. F. Thompson
H. L. Dixon	W. P. McDonogh	J. T. Thornton
W. G. Dycus	H. C. McGehee	J. Wood Vance
F. A. Easterling	S. Lee McGohan	Geo. C. Waggoner
L. L. Embry	H. C. McLellen	G. Frank Walthal
I. H. Gabbard	W. B. O'Bannon	T. R. Welch
Lark Garnett	A. J. Oliver	E. G. Young
M. E. Gilbert	T. P. Oliver	
W. H. Hager	W. F. Paris	—70

Resolved, that the title thereof be as aforesaid.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in that body of the following title, viz.:

S. B. 186. An act to require incorporated cities and towns to maintain government by the election of officers and

the levying and collection of taxes of such cities and towns and providing for forfeiture of charter and manner of proceeding therein.

To the Committee on Rules.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 368. An act to create the office of supervisor of parents, who are charged with the wilful desertion or abandonment of indigent children under the age of sixteen years and to provide for the duties of such supervisor, to provide the manner in which he is to be appointed and removed from office and to provide for his compensation in counties having a population of 200,000 or more.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in all counties in this Commonwealth having a population of 200,000 or more, is hereby created the office of supervisor of parents who are charged with the crime of wilful desertion or abandonment of indigent children under sixteen years of age. Said supervisor shall be a made resident of such county, over twenty-one years of age and shall be appointed by the judge of the circuit court having criminal jurisdiction, for a term of four years, but may be removed at any time by said circuit judge having criminal jurisdiction.

§ 2. It shall be the duty of said supervisor to investigate all cases in which any person is charged by indictment or otherwise with having wilfully deserted or abandoned his or her children under the age of sixteen years, for the purpose of ascertaining what amount the said person so charged shall pay weekly or monthly for the purpose of maintaining said

children. He shall report to the judge of the circuit court having criminal jurisdiction in such county the result of his investigations in writing. He shall, when ordered by said judge, make collections from time to time from such persons, keeping an accurate account of the collections made by him and giving receipts therefor, and the money so collected shall be distributed to the person or persons having the said indigent children in charge to be used for their maintenance.

§ 3. Said supervisor shall have the same power of arrest and the same right to execute process as is now given by law to the sheriff in this Commonwealth.

§ 4. Said supervisor shall give a bond for the faithful performance of his duty with good surety to be approved by the judge of the circuit court having criminal jurisdiction in such amount as may be deemed necessary by the said judge.

§ 5. The salary of the said supervisor shall be twelve hundred ($1,200.00) dollars per annum, payable out of the county levy in monthly installments.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	J. L. Bradford	A. S. Cooper
B. S. Bailey	O. V. Brown	Fred Cornelius
J. H. Ballard	T. L. Caudel	James S. Cruse
A. L. Baldwin	H. C. Chappell	F. A. Easterling
B. C. Beckmann	Everett Cobb	I. H. Gabbard
H. V. Bell	John Cook	Lark Garnett

M. E. Gilbert	J. E. Lilly	Joe Schneider
W. H. Hager	Harry J. Meyers	Claude B. Smith
J. S. Hall	John T. Murphy	Thomas Spurrier
A. L. Hamilton	W. P. McDonogh	Ben Street
E. C. Hardin	H. C. McGehee	Geo. F. Thompson
B. H. Harris	S. Lee McGohan	J. T. Thornton
David J. Howard	W. B. O'Bannon	W. F. Trusty
Chas. L. Hunter	A. J. Oliver	J. Wood Vance
J. W. Johnson	T. P. Oliver	G. Frank Walthal
W. H. Jones	W. F. Paris	T. R. Welch
Griffin Kelly	Ote Piper	W. N. Winn
W. F. Klair	H. C. Rice	E. G. Young
W. T. Lasley	Lewis Ryans	—56

Those who voted in the negative were—

L. D. Baldauf	H. A. Knollmann	T. J. Smith
Robert Bays	Joseph Lazarus	Claude M. Thomas
W. T. Beckham	S. H. Moore	S. G. Thornberry
L. B. Hamilton	A. J. McCandless	G. C. Waggoner
Joe Huddleston	Lilburn Phelps	
A. R. Hudson	Luther Pieratt	—16

Resolved, that the title thereof be as aforesaid.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 88. An act concerning the annual statements, reports and returns of railway companies or railway corporations now required to be made and delivered to the Auditor of Public Accounts and the Railroad Commission, respectively, under certain provisions of the Kentucky Statutes, Carroll's edition.

Said bill reads as follows, viz.:

Whereas, the Interstate Commerce Commission, by an order promulgated November 24, 1916, required every railroad company engaged in interstate commerce to file in the office of said commission on or before the thirty-first day of March in each year a report covering the period of twelve months ending with the preceding thirty-first day of December; and,

Whereas, compliance with said order necessitated a change of the fiscal year of every such railroad company so as to correspond with the calendar year and an annual restatement of its accounts and condition as of the thirty-first day of December instead of the thirtieth day of June, as theretofore, which change has been uniformly adopted by such railroad companies operating in this state and other states; and,

Whereas, under existing statutes of this state such railroad companies are required to make and file at stated times with the Auditor of Public Accounts and Railroad Commission, respectively, certain annual reports or statements of their conditions and affairs, covering the period of the former fiscal year of said railroad companies, thus entailing upon them large unnecessary expense and requiring a duplication of much labor in the preparation of said reports and statements, which can be avoided without detriment to the interests of this state; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the annual report or statement of every railway company or railway corporation now required under the provisions of article IV, chapter 108, Kentucky Statutes (Carroll's edition), title "revenue and taxation," to be made and delivered to the Auditor of Public Accounts between the thir-

tieth day of June and the first day of October, hereafter shall be made and delivered by every such company or corporation to the Auditor of Public Accounts between the thirty-first day of December and the thirty-first day of March following, and the information therein furnished as called for by the statutory provisions aforesaid shall cover the period of twelve months ending the thirty-first day of December, instead of the thirtieth day of June, as heretofore required.

§ 2. That the annual report or return of each railroad company or other corporation owning or operating a railroad line, in whole or in part, in this state, now required to be made under the provisions of article V, chapter 108, Kentucky Statutes (Carroll's edition), title, "revenue and taxation," to the Auditor of Public Accuonts on or before the first day of August in each year, as of the preceding first day of July, hereafter shall be made to the Auditor of Public Accounts on or before the first day of February in each year, as of the thirty-first day of the preceding December, and the Auditor shall perform the same duties with respect to said report or return as are now required by said statutory provisions and lay the same before the State Tax Commission on or before the fifteenth day of February, instead of on or before the fifteenth day of August, before the Railroad Commission, as now required by the statutory provisions aforesaid.

§ 3. That the statements now required of every railroad company, under the provisions of section 825, chapter 32, Kentucky Statutes (Carroll's edition), title, "corporations," to be made and transmitted to the Railroad Commission, on or before the first day of September, in each year, of the affairs of such company as they existed on the first day of the preceding July, shall hereafter be made on or before the thirty-first day of March, in each year, and transmitted to said commission, stating the affairs of such company, specified in said section, as they existed on the thirty-first day of the preceding December.

§ 4. That all laws and parts of laws in conflict with this act be, and the same are, hereby repealed.

Ordered, that said bill be read the third time

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Ed. L. Allen
Chas. Ashby
B. S. Bailey
L. D. Baldauf
J. H. Ballard
A. L. Baldwin
Robert Bays
W. T. Beckham
B. C. Beckmann
H. V. Bell
Leroy Bonta
J. L. Bradford
O. V. Brown
R. J. Cain
H. C. Chappell
Everett Cobb
John Cook
A. S. Cooper
Fred Cornelius
James S. Cruse
A. A. Demunbrun
Harry Dill
H. L. Dixon
F. A. Easterling
L. L. Embry
I. H. Gabbard
Lark Garnett
W. H. Hager
J. S. Hall
A. L. Hamilton
L. B. Hamilton
E. C. Hardin
B. H. Harris
A. R. Hudson
Chas. L. Hunter
J. W. Johnson
W. H. Jones
Griffin Kelly
W. F. Klair
H. A. Knollmann
W. T. Lasley
Joseph Lazarus
J. E. Lilly
Harry J. Meyers
John T. Murphy
Ryland C. Musick
W. P. McDonogh
H. C. McGehee
S. Lee McGohan
H. C. McLellen
W. B. O'Bannon
A. J. Oliver
T. P. Oliver
W. F. Paris
Lilburn Phelps
Luther Pieratt
Lewis Ryans
Avery Sartin
Joe Schneider
Claude B. Smith
R. T. Smith
Ben Street
John W. Swope
Claude M. Thomas
Elmore Thomas
John B. Thomas
Geo. F. Thompson
J. T. Thornton
S. G. Thornberry

W. F. Trusty	G. C. Waggoner	E. G. Young	
J. Wood Vance	G. Frank Walthal		
F. C. VanHoose	T. R. Welch		—76

Those who voted in the negative were—

A. J. McCandless	Thomas Spurrier	—2

Resolved, that the title thereof be as aforesaid.

Mr. Meyers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 421. An act to amend section 1321, Kentucky Statutes, so far as it affects cities of the first, second and third class, and the territory adjacent to U. S. army cantonments.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the first paragraph of section 1321 of Kentucky Statutes be amended by adding at the end of said first paragraph, after the word "railroads," the words:

"Or druggists, or automobile garages or livery stables, or in the operation of moving pictures, in cities of the first, second and third class, and adjoining the U. S. army cantonments, in counties containing cities of the first class."

So that said first paragraph of section 1321, as amended, shall then read as follows:

"No work or business shall be done on the Sabbath day, except the ordinary household offices, or other work of necessity or charity, or work required in the maintenance or operation of a ferry, skiff or steamboat, or steam or street railroads, or druggists or automobile garages, or livery stables, or in the operation of moving pictures in cities of the first, second and third class, and adjoining the U. S. army cantonments, in counties containing cities of the first class."

Mr. McDonogh offered the following amendment to said bill, viz.:

Amend line ten by striking out the words "on the Sabbath day," in line ten and inserting in lieu thereof "from midnight Saturday night until midnight Sunday night."

Amend lines seven and sixteen by adding: "the prohibition and regulation of picture shows shall be left to the city councils of said respective cities."

Said amendment was adopted.

Mr. Musick offered the following amendment to said bill, viz.:

Amend House Bill No. 421 by striking out of lines fourteen and fifteen the following words: "Cities of the first, second and third classes," and by striking out of line sixteen the following words: "In counties containing cities of the first class," and by substituting therefor in line sixteen the following words: "during the period of the war."

Said amendment was disagreed to.

Mr. Waggoner offered the following amendment to said bill, viz.:

Amend line fourteen by inserting the word "free" between the words "of" and "moving."

Said amendment was disagreed to.

Mr. Allen moved that said bill and all pending amendments be laid on the table.

Said motion was disagreed to.

Mr. Klair moved the previous question.

The Speaker stated: Shall the main question be now put?

Said question was decided in the affirmative.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	W. H. Hager	A. J. Oliver
L. D. Baldauf	A. L. Hamilton	Lilburn Phelps
J. H. Ballard	L. B. Hamilton	H. C. Rice
A. L. Baldwin	Chas. L. Hunter	Joe Schneider
B. C. Beckmann	J. W. Johnson	Claude B. Smith
W. P. Bowman	W. F. Klair	R. T. Smith
O. V. Brown	H. A. Knollmann	Thomas Spurrier
H. C. Chappell	Joseph Lazarus	Ben Street
J. C. Davis	J. E. Lilly	Elmore Thomas
H. L. Dixon	Harry J. Meyers	W. F. Trusty
F. A. Easterling	W. P. McDonogh	F. C. VanHoose
J. M. Elliston	H. C. McLellen	W. N. Winn

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Those who voted in the negative were—

Ed. L. Allen	E. C. Hardin	W. B. O'Bannon
B. S. Bailey	B. H. Harris	Luther Pieratt
Robert Bays	David J. Howard	Otc Piper
W. T. Beckham	Joe Huddleston	Richard Radcliffe
H. V. Bell	A. R. Hudson	Lewis Ryans
Leroy Bonta	Leslie P. Jones	Avery Sartin
J. L. Bradford	W. H. Jones	T. J. Smith
R. J. Cain	Griffin Kelly	John W. Swope
Everett Cobb	W. T. Lasley	Claude M. Thomas
John Cook	S. D. Laughlin	John B. Thomas
A. S. Cooper	M. E. Lee	Geo. F. Thompson
Fred Cornelius	Clarence Miller	J. T. Thornton
W. P. Cropper	Claude D. Minor	S. G. Thornberry
A. A. Demunbrun	S. H. Moore	J. Wood Vance
W. G. Dycus	John T. Murphy	G. C. Waggoner
L. L. Embry	Ryland C. Musick	G. Frank Walthal
I. H. Gabbard	A. J. McCandless	T. R. Welch
Lark Garnett	H. C. McGehee	E. G. Young
J. S. Hall	S. Lee McGohan	—56

And so said bill was rejected.

Mr. Klair moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Klair moved that the afternoon session be extended indefinitely.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 191. An act amending sections 73, 75, 177, 185 and repealing and re-enacting section 186 and repealing section 183 of chapter 24, of the Acts of 1916, relative to certification

of teachers and also amending sections 2, 16, 51, 207, 121 and 212 of chapter 24, Acts of 1916, and subsection 31, of section 2978a and subsection 34 of section 3235a and sections 3470, 3588 and 3596, Kentucky Statutes, 1915, Carroll's edition, changing the age limit for school census enumeration and also amending sections 24 and 177 of chapter 24, Acts of 1916, making agriculture a required subject in the common school course after July 1, 1920, and amending section 46, chapter 24, of the Acts of 1916, relative to the qualifications of county superintendents and repealing section 50, chapter 24, Acts of 1916, fixing the salary of county superintendents, by repealing and amending and re-enacting same, and amending section 181, chapter 24, of the Acts of 1916, relative to the State Board of Education granting certificates to graduates of institutions of higher learning whether within or without the state, and repealing and re-enacting sections 78 and 87 of chapter 24, of the Acts of 1916, relating to change in boundaries of subdistricts and amending section 129 of chapter 24, of the Acts of 1916, relating to the amount of taxes counties may levy for local purposes.

Said bill reads as follows, viz.:

Whereas, chapter 113 of the Kentucky Statutes, Carroll's edition, 1915, the same being sections 4363 to 4535h, inclusive, relates to common schools; and,

Whereas, said chapter 113, of the statutes, consists of the act of July 6, 1893, with the amendments to the same, which act and amendments were based upon the fundamental fact that the local district was the unit of school administration and of the act of March 24, 1908, with amendments to the same, which act and amendments are based on the fact that the county is the unit of school administration for many purposes; and,

Whereas, the act of March 24, 1908, with amendments thereto, have repealed some sections and parts of sections of the act of July 6, 1893, and its amendments; and,

Whereas, much confusion has arisen in the administration of the school law throughout the state because of the uncertainty arising from the facts enumerated; and,

Whereas, it is impracticable to secure a decision of the Court of Appeals upon every one of the many questions arising in the effort to administer the schools under two sets of laws differing in their fundamental conception;

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 73 of chapter 24, Acts of 1916, be amended by striking therefrom the words "of the first class" after the words "holding county certificates," so that when said section is so amended it will read as follows:

COUNTY BOARD OF EXAMINERS.

Appointment and Qualification Oath.—The county Superintendent shall appoint two strictly moral and well educated persons, holding county certificates, state certificates, state diplomas or diplomas from some literary institution of high learning, who, together with himself, shall constitute a board of examiners for the county.

No person shall be eligible as examiner on said county board who is at the time or for six months previous thereto has been conducting or teaching in any school, college or university where teachers or those preparing to teach are making preparation to be examined for certificates to teach in the common schools of the state.

Before they shall be authorized to act in any capacity as such board, or grant any certificates, said examiners shall take and subscribe to an oath that they will faithfully discharge their duties as required by the common school law, and the said affidavit shall be filed in the office of the clerk of the county court.

That section 75 of chapter 24 of the Acts of 1916 be amended by striking therefrom the words "any county sup-

erintendent or county examiner'' before the words ''who shall knowingly grant to any immoral persons'' and inserting in lieu thereof the words ''any Superintendent of Public Instruction or State Board of Examiners,'' and also by inserting after the words ''certificate to teach in the common schools'' and before the words ''who shall permit any one to take an examination'' the words ''or any person or persons who have charge of the examination or any examiner or Superintendent of Public Instruction or county superintendent,'' and by striking out the word ''superintendent'' after the words ''if there should be any doubt as to the age of the applicant'' and inserting in lieu thereof the words ''the Superintendent of Public Instruction, county superintendent or any examiner,'' so that when said section is amended it will read as follows:

PENALTY FOR IMPROPERLY GRANTING CERTIFICATE.

Any Superintendent of Public Instruction or State Board of Examiners who shall knowingly grant to any immoral person or to any person under the prescribed age, a certificate to teach in the common schools, or any person or persons who have charge of the examination or any examiner, or Superintendent of Public Instruction, or county superintendent, who shall permit any one to take an examination, who is under the prescribed age prior to the date of the examination, shall be guilty of a misdemeanor, and, upon conviction therefor, shall be fined not less than fifty nor more than one hundred dollars for each offense.

If there should be any doubt as to the age of an applicant, the Superintendent of Public Instruction, county superintendent, or any examiner may require the applicant to take and subscribe to the oath as to his age before entering the examination.

Any county superintendent, county examiner, printer, officer of state or county, or any other person, who shall sell, barter, give or furnish, or procure to be sold, bartered, given

or furnished, to any applicant for a certificate, or to any other person, or any other person who shall have in his possession unlawfully, or in any way not provided by law, any question or questions prepared or sent out by the Superintendent of Public Instruction or the State Board of Examiners, for the examination of persons applying for such certificate, or in any way dispose of such question or questions, except in the manner provided by law, shall be guilty of a felony and shall upon conviction be punished by confinement in the penitentiary not less than one year nor more than two years

Any applicant for a state diploma, state certificate or county certificate, who shall either give or receive any assistance in answering any question during any examination for such certificate shall be guilty of a misdemeanor and upon conviction shall be punished by expulsion from examination.

§ 2. That section 177 of chapter 24 of the Acts of 1916, be amended by striking therefrom the words "which may be first class or second class" after the word "third," and by adding the words "or a certificate issued by the University of Kentucky or any of the State Normal Schools, according to law, or a certificate of another state after it has been legally validated in this state," after the words "one of these three grades of certificates;" and amending said section by adding the figures and words "12 elementary agriculture" after "11 theory and practice of teaching," and striking therefrom the words "sign all certificates" before the words "the county superintendent and at least one of the examiners shall be present and shall conduct all examinations," and inserting in lieu thereof the words "and said county certificate shall be signed by the State Board of Examiners," so that when said section is amended it will read as follows:

Teachers' Certificates—Grades—Examinations—Grades of Certificates—Subjects—Dates of Examination.—There shall be three grades of certificates issued to teachers of common schools: first, a state teacher's diploma; second, state teacher's certificate; third, a county certificate.

Before any person shall be qualified to teach in any common school such person shall obtain one of these three grades of certificates, or a certificate issued by the University of Kentucky or any of the State Normal Schools according to law, or a certificate of another state after it has been legally validated in this state.

The State Board of Examiners shall carefully prepare three series of questions for white teachers and an equal number for colored teachers, all of the same grade; shall enclose in an envelope such number of questions of each given series as the county superintendent shall make requisition for, at least twenty days before the examination, with the name of the subject plainly written or printed across the seal thereof; shall enclose the several envelopes in a package, which they shall seal and forward by registered mail to each county superintendent at least one week before the examination, designating on the outside of the package the month and the date for which the same shall be used.

The county superintendent shall carefully preserve the said package of questions under seal until the hour of examination, and the seal of the said package shall then be examined by the other examiners and the applicants for certificates and the package shall then be openned in their presence.

Immediately after examining the package of questions each of the county examiners shall, under his oath as an examiner, upon blanks furnished for that purpose by the Superintendent of Public Instruction, give a separate certificate, with signatures, attested to by two reliable witnesses, that he had personally inspected said package, and whether he had found the same intact as provided herein, and forwarded the certificate to the Superintendent of Public Instruction on the same date.

Separate certificates shall be made and forwarded for state and county certificate examination.

There shall be two examinations held in each county of the state annually, for a state certificate on the third Friday

and Saturday in June and September. There shall be three examinations held for white teachers in each county of the state on the third Friday and Saturday in May, June and September of each year, and three for colored teachers upon the fourth Friday and Saturday for the same months, and no examinations for either state or county certificates shall be held at any other time whatever.

No certificate shall be issued upon the dates of the examinations nor shall any answer be passed upon in the presence of any of the applicants.

The examiners shall exclude from the room during the examination all persons other than applicants and see that the applicants are seated at the proper distance from each other and shall see that no assistance is given or obtained by any applicant during the examination, and shall refuse to grant a certificate to any applicant who may either obtain or give such assistance.

The examiners shall allot a reasonable time for the examination on each subject, taking the subjects in the following order: 1, spelling; 2, reading; 3, writing; 4, arithmetic; 5, grammar; 6, English composition; 7, geography; 8, physiology and hygiene; 9, civil government; 10, United States history and Kentucky history; 11, theory and practice of teaching; 12, agriculture, and shall collect the answers of all applicants when the time allotted has expired, and no additional subjects shall be given until the answers to the previous subjects have all been collected.

The county superintendent and at least one of the examiners shall be present and shall conduct all examinations and said county certificate shall be signed by the State Board of Examiners.

No certificate shall be granted to any person who indulges in drunkenness, profanity, gambling or licentiousness or who is otherwise unfit to be a teacher.

§ 3. That section 183 of chapter 24 of Acts of 1916 be, and the same is, hereby repealed.

§ 4. That section 186, chapter 24, of Acts of 1916 be, and the same is, hereby repealed and the following enacted in lieu thereof:

The State Board of Examiners—Certificates by—Examinations—County Certificates.—A county certificate may be granted by the State Board of Examiners upon the recommendation of the county superintendent and the county board of examiners after an examination held in the county of the applicant's residence, said applicant attaining an average grade of at least eighty-five per centum, and the lowest grade upon any subject being not less than sixty-five per centum, upon the subjects embraced in the common school course of study, and the science and art of teaching.

In order to be entitled to a county certificate, the applicant in addition to passing the required examination shall be at least eighteen years of age at the time of the examination.

Immediately upon the close of the examination for county certificate, the county superintendent shall collect the papers of each applicant, preserve them from all inspection and immediately forward them by registered letter to the State Board of Examiners, Frankfort, Kentucky, with the recommendation that the certificate should or should not be granted. No applicant shall be examined for a county certificate unless the said applicant is known to the county superintendent to possess an unexceptionable moral character and to possess the age herein required.

The county superintendent shall enclose with the answers a written statement, signed and sworn to by at least two members of the county board of examiners, that the examination had been held in strict accordance with the law and that the applicant had not either directly or indirectly received any assistance, and that the moral character of the applicant was unexceptionable. And the Superintendent of Public Instruction shall prepare and furnish the county superintendent blank forms to make said reports. If the answers were deemed sufficient and the recommendation of the county superintend-

ent and examiners are favorable, the State Board of Examiners may issue a certificate, which shall entitle the holder to teach in any common school of the state, except county high school, for the period of four years.

Any county superintendent may, for cause, revoke a county certificate as far as it applies to his county, of which immediate information shall be given to the Superintendent of Public Instruction, and no teacher whose certificate has been revoked shall be entitled to receive payment for services only up to the time of the revocation of his certificate.

A county certificate shall be impressed with the seal of the State Board of Examiners, and the fee charged the applicant shall be two dollars and fifty cents, besides the registration fee for forwarding the answers, of which one dollar shall be paid to the county board of examiners, one dollar and fifty cents to be paid to the State Board of Examiners. The Superintendent of Public Instruction shall have power to appoint competent graders to assist the State Board of Examiners in grading applicant's manuscript for county certificates and the said one dollar and fifty cents shall be divided among the graders in proportion to the services rendered.

Nothing in this act shall be construed to require any teacher now holding a state diploma, state teacher's certificate or county certificate to be re-examined until the expiration of said certificate.

A person having taught for eight consecutive years in this Commonwealth under a first class certificate and county certificate or a county certificate may have the last one renewed for a period of four years by the Superintendent of Public Instruction, who shall write upon it "renewed," signed officially and give the date of such renewal. When a county certificate has been renewed one time the teacher shall again receive two county certificates as stated above before it can be renewed a second time.

§ 4. That section 185 of chapter 24, Acts of 1916, be amended by adding the words "the superintendent of Public

Instruction may revoke any state certificate issued by the State Board of Examiners for immoral conduct of any character or kind or for obtaining said state certificate under false pretenses. But before the Superintendent of Public Instruction shall revoke any teacher's certificate, he shall give said teacher at least ten days' written notice of the charges made against him and give the teacher an opportunity to produce evidence, either orally, by affidavit or deposition, and defend any action against him," after the words "unless revoked by the Superintendent of Public Instruction unless the holder shall fail for two successive years to be engaged in active school work." So that when said section is amended it will read as follows:

State Board of Examiners—Certificates By—Examinations—State Certificates—Revocation of.—A state teacher's certificate may be granted by the State Board of Examiners upon the recommendation of the county board of examiners, after a written examination held in the county of the applicant's residence, or on a personal examination before the State Board of Examiners at the state capital, said applicant attaining an average grade of at least ninety per centum, the lowest grade upon any subject being not less than seventy per centum, upon the subjects embraced in the common school course of study, and also upon English literature, elementary algebra, high arithmetic and the science and art of teaching. In order to be entitled to a state certificate the applicant in addition to passing the required examination, shall be at least twenty-one years old, and shall have had two years' experience in teaching.

Examinations for state teachers' certificates shall be held in all counties of the state on the third Friday and Saturday of June and September each year, and the questions for the examinations shall be forwarded by the State Board of Examiners with the questions for the June and September county examinations at the same time and in the same package, be preserved and opened at the same time as the ques-

tions for county certificates. The applicants for state certificates shall be examined on the same days upon which the applicants for county certificates are examined in June and September and immediately upon the close of the examination for state certificate, the county superintendent shall collect the papers of each applicant for state certificate, preserve them from all inspection and immediately forward them to the State Board of Examiners, with the recommendation that the certificate should or should not be granted. No applicant shall be examined for a state certificate unless the said applicant is known to the county superintendent to possess an unexceptionable moral character and to possess the age and experience herein required.

The county superintendent shall enclose with the answers a written statement, signed and sworn to by at least two members of the county board of examiners, that the examinations had been held in strict accordance with the law and that the applicant had not either directly or indirectly received any assistance, and that the moral character of the applicant was unexceptionable. If the answers were deemed sufficient, and the recommendation of the County Board of Examiners is favorable, the State Board of Examiners may issue a certificate, and shall entitle the holder to teach in any school of the state for a period of eight years, unless revoked by the Superintendent of Public Instruction unless the holder shall fail for two successive years to be engaged in active school work.

The Superintendent of Public Instruction may revoke any state certificate issued by the State Board of Examiners for immoral conduct of any character or kind or for obtaining said certificate under false pretenses, but before the Superintendent of Public Instruction shall revoke any teacher's state certificate he shall give said teacher at least ten days' written notice of the charges made against him and give the teacher an opportunity to produce evidence, either orally, by affidavit or deposition, and defend any action against him.

At the expiration of the time for which it was granted, if it shall not have been revoked by the Superintendent of Public Instruction and if the holder shall not have failed for two successive years to be engaged in active school work, a state certificate may be renewed for another eight years by the State Board of Examiners, without additional fee, provided the county board of examiners for the county where the holder at the time resides recommends the renewal of said certificate, stating that the applicant is of good moral character and that said applicant has not failed for two successive years to be engaged in active school work. In no case shall any state certificate be valid for a period longer than sixteen years.

Any county superintendent may, for cause, revoke a state certificate as far as it applies to his county, of which immediate information shall be given to the Superintendent of Public Instruction and be subject to his approval.

A state certificate shall be impressed with the seal of the State Board of Examiners and the fee charged the applicant shall be four dollars, besides the registration fee for forwarding the answers, of which one dollar shall be paid to the county board of examiners. The proceeds of the fees for examination for state certificates shall be divided between the two professional members of the State Board of Examiners, in proportion to the services rendered by them.

§ 5. That section 2, chapter 24, Acts 1916, be amended by striking out the word "twenty" after the words "between the ages of six and" and inserting in lieu thereof the word "eighteen;" and striking therefrom the words "who will obtain the consent of the trustees and teachers and pay the required tuition fees" after the words "that nothing herein shall prevent any person from attending the common school" and inserting in lieu thereof the words "of the district or subdistrict in which he resides, and that said person shall not be required to contribute toward defraying the expense or pay tuition fees." So that when said section is amended it will read as follows:

Common School Defined—Any Child May Attend—No school shall be deemed a "common school," within the meaning of this chapter, or be entitled to any contribution out of the school fund, unless the same has been, pursuant hereto, actually kept or is under contract to be kept by a qualified teacher for six or more months in all subdistricts, during the same school year, and at which every child residing in the district, between the ages of six and eighteen years, has had the privilege of attending, whether contributing towards defraying the expense or not; provided, that nothing herein shall prevent any person from attending the common school of the district or subdistrict in which he resides, and that said person shall not be required to contribute toward defraying the expense or pay tuition fees.

And that section 16, chapter 24, Acts 1916, be amended by striking therefrom the word "twenty" after the words "between the ages of six and" and inserting in lieu thereof the word "eighteen," so that when said section is amended it will read as follows:

Per Capita of $4.75—Extension of Term—Payment of School Fund.—That whenever the State Superintendent of Public Instruction shall declare a per capita not less than $4.75 nor more than $5.35 per each child in Kentucky between the ages of six and eighteen years, who are entitled to same, the school term for the common schools of the state of Kentucky shall be extended from six to seven months, and when said per capita is declared to be over $5.35, said term shall be extended to eight months. The declaration of said per capita as above alone extending said term, but in no event shall the term be less than six months, as now required by law.

When the school term is extended to seven months, the school fund for that year shall be divided into seven equal installments, and when extended to eight months, into eight equal installments. The first six installments are to be paid at same dates as now required by law for six months schools,

and when the term is only seven months, the two last months shall be paid for on the second Saturday in March of each year, and when eight months, the last two months shall be paid for the second Saturday of March and the second Saturday of April, respectively.

That section 51 of chapter 24, Acts 1916, be amended by striking therefrom the word "twenty" after the words "between the age of six and" and inserting in lieu thereof the word "eighteen." So that when said section is amended it will read as follows:

Census Report of School Children—Notice of Change in District Boundaries.—It shall be the duty of each county superintendent, on or before the first day of June each year, to prepare, mail to, and cause to be placed in the hands of the Superintendent of Public Instruction a report, certified by the county judge or clerk, that the report is a correct statement as shown from the census on file in the office of the clerk of the county court, showing the whole number of children, between the ages of six and eighteen years, residing in his county, and the whole number residing in each subdistrict, including each city, and each independent district described by its number; and he shall be individually responsible to the county board of education by reason of any error made by said superintendent in reporting the census thereof.

He shall superintend the census taken during the month of April by the trustees, and not later than the twentieth of March of each year shall notify the trustee that the boundaries of the subdistrict are as recorded for the past year in the trustees' register; or, if any changes have been made, shall give to the trustee exact notice of such changes, and, in due time, see that the said changes are included in the description of the boundary entered in the trustees' register.

At the time of such notice he shall give the said trustee printed or written instructions for taking the census; caution him against reporting persons not legally belonging thereto, and calling his attention to section 94 of this act.

He shall base his report upon the census taken during the month of April, and reports thereof made to him by the subdistrict trustees and if such reports are not in from the subdistrict by the tenth of May the county superintendent shall take, or have the census of such subdistrict taken, the cost of which shall be paid out of the county levy, and the fiscal court may recover from the delinquent trustee the amount so paid.

And that section 121 of chapter 24 of Acts 1916, be amended by striking therefrom the word "twenty" after the words "betwen the age of six and" and inserting in lieu thereof the word "eighteen," so that when said section is amended it will read as follows:

Census of Children in District—Penalty for Fraud or Failure.—It shall be the duty of the trustee of each subdistrict, biennially, during the month of April, to take an exact census of all the children that reside in such subdistrict on the first day of April, who will be, on the first day of July following, between the ages of six and eighteen years, and on or before the first day of May report a list of the same to the county superintendent, and a duplicate list to the clerk of the county court, to be filed in his office, specifying the name, age, sex and names of the parents or guardians of each child, to be entered in a book furnished him by the state, and kept as a part of the records of his office. Should said trustees wilfully add to the list the names of persons not entitled to be placed on same, or otherwise knowingly make a false list, such person thus offending shall, in addition to being liable to punishment for the crime of false swearing, be subject to a fine of not less than fifty dollars, and should any other school officer be a party to such fraudulent lists, or in any way aid in the commission of such fraud, he shall be liable to the same punishment.

For a failure to take such census and report the same within the time and manner herein required, the trustee shall be liable to a fine of not less than twenty dollars, and said

trustee shall not take the census of any children who have recently removed into the district and who have been previously reported in the census of the pupil children for the year in the district from which they have moved, or who had recently removed into the district from another state or county, but any pupil child who may not have been reported in the district in which he resides may attend the common school without payment.

This section shall be printed in the census blanks furnished by the Superintendent of Public Instruction.

That section 207 of chapter 24, Acts of 1916, be amended by striking therefrom the word "twenty" after the words, "between the ages of six and" and inserting in lieu thereof the word "eighteen," so that when said section is amended it will read as follows:

Census of Pupils—How and When Taken—Designation of Districts.—The number of colored children in each district, between the ages of six and eighteen years, shall be taken and reported at the same time and in the same manner as required by law for taking the census of white children. All colored districts shall be designated by letters in alphabetical order for each county, as District A, District B, and so on.

That section 212 of chapter 24, Acts 1916, be amended by striking therefrom the word "twenty," after the words "a high school pupil reaches the age of," and insert in lieu thereof the word "eighteen" and by adding the words "if any person who becomes eighteen years of age is not enrolled in a high school who is qualified to enter same" after the words "each consecutive year" and by striking therefrom the words "said board shall also have the right to select the text books to be used in said high schools," so that when said section is amended it will read as follows:

Contract—Where Established—Classes—County Board—City—Course of Study—Who May Attend.—Provided, however, that said contract tuition rate shall in no case exceed the rate charged for other pupils.

The first county high school to be established in the county shall be located at the county seat, provided there is not already existing in the county seat a high school of the required grade.

The county high schools of this Commonwealth shall be of the first, second and third classes.

A first class high school shall maintain a four years' course of study, which shall be prepared by the State Board of Education. Such course of study may provide for instruction in manual training, domestic science and elementary agriculture.

High schools of the second class shall maintain a course of three years, identical with the first three years of the first class school.

High schools of the third class shall maintain a course of two years, identical with the first two years of the first class high school.

When county high schools shall be established, as provided in this act, it shall be the duty of the county board of education to employ and fix the salaries of said teachers necessary to the efficient conduct of said high school and prescribe the course of study to be pursued, but said course of study shall not be below the standard fixed by the State Board of Education.

If any person who has enrolled in the high school reaches the age of eighteen years in good faith desires to continue said high school work each consecutive year or if any person who becomes eighteen years of age is not enrolled in a high school who is qualified to enter same, it shall be and is hereby made the duty of the county board to permit said person to enter and continue said high school work under the same terms and conditions as before reaching the age limit for attending school until said high school work has been completed.

That subsection 31 of section 2978a, Kentucky Statutes, 1915, Carroll's edition, relative to schools in cities of the first class be amended by striking the word "twenty" therefrom

after the words "between the ages of six and" and inserting in lieu thereof the word "eighteen" so that when said section is amended it will read as follows:

Separate Schools for White and Colored Children.—The board shall provide, maintain and support separate schools wherein all colored children, who are *bona fide* residents of said city, between the ages of six and eighteen years, may be taught in like manner as herein provided for white children. Said schools for colored children shall be entitled to the same benefits, be governed by the same rules and regulations, and be subject to the same restrictions as the schools herein provided for white children.

That subsection 34 of section 3235a, Kentucky Statutes, 1915, Carroll's edition, relative to schools of cities of the second class, be amended by striking therefrom the word "twenty," after the words "between the ages of six and" and inserting in lieu thereof the word "eighteen," so that when said section is amended it will read as follows:

SCHOOLS FOR COLORED CHILDREN.

"The board of education shall provide, maintain and support separate schools wherein all colored children, who are *bona fide* residents of said city, between the ages of six and eighteen years, may be taught in like manner as herein provided for white children. Said colored schools shall be entitled to the same benefits, be governed by the same rules and regulations and be subject to the same restrictions as the schools herein provided for the white children."

That section 3470, Kentucky Statutes, 1915, Carroll's edition, be amended by striking therefrom the word "twenty," after the words "between six and" and inserting in lieu thereof the word "eighteen," so that when said section is amended it will read as follows:

Buildings, Teachers and Employes—Separation of White and Colored Children.—Said board of education shall provide and maintain, out of the funds levied or otherwise provided

for the purpose, suitable buildings, teachers and other employes, sufficient for the education of all children of the city between six and eighteen years of age, and shall provide separate buildings and schools for education of white and black pupils, and no white child shall be allowed to attend any colored school, nor shall any colored child be allowed to attend any white school.

That section 3588, Kentucky Statutes, 1915, Carroll's edition, be amended by striking therefrom the word "twenty" after the words "between the ages of six and" and inserting in lieu thereof the word "eighteen," so that when said section is amended it will read as follows:

System—Board of Education—Two Trustees Elected by Voters.—There may be maintained a system of public schools, at which all the children residing in the city between the ages of six and eighteen years may be taught at the public expense. Said school shall be under the control of a board to be styled "the board of education," consisting of two trustees from each ward in the city, to be elected at the general November election in one thousand eight hundred and ninety-three, by the qualified voters of the city at large. They shall meet and qualify on the first Monday in January after their election. The trustees so elected shall hold their offices, one-half for two years and one-half for four years, as shall be determined by lot at the first regular meeting after the election. And at the general election, every two years thereafter there shall be elected by the qualified voters of the city at large one trustee from each ward in the city in which the term of his predecessor in office will then expire. Said trustee shall possess the same qualifications as are required for a councilman. Said board of education shall continue, and it is hereby declared a body-politic and corporate, under the name and style of board of education, with perpetual succession, and by that name may contract and be contracted with, sue and be sued, have and use a corporate seal, the same to renew or alter at pleasure; may purchase, receive, hold, lease, sell and dis-

pose of real and personal estate for public school purposes. The control and management of the public schools of the city, and the property and funds thereunto belonging, shall be, and is hereby, vested in said board, subject to the provisions of this law. It shall have power to make by-laws and rules, not in conflict herewith, necessary for the discharge of its duties and the government of its proceedings. It shall meet once in each month, or oftener if necessary, and a majority-elect of said board shall constitute a quorum for the transaction of business, and for the appropriation of money or the execution of a contract; the concurrence of two-thirds of the members-elect of said board shall be indispensable, and the yeas and nays shall be entered of record. The meetings of said board shall be held in some public place, and a correct record of its proceedings shall be kept in a book provided for that purpose, which shall be a public record.

That section 3596, Kentucky Statutes, 1915, Carroll's edition, be amended by striking out the word "twenty" after the words "of the city between six and" and inserting in lieu thereof the word "eighteen," so that when said section is amended it shall read as follows:

Buildings and Teachers—Separate Schools for White and Black Pupils.—Said board of education shall provide and maintain, out of the funds levied or otherwise provided for the purpose, suitable buildings, teachers and other employes sufficient for the education of all children of the city between six and eighteen years of age, and shall provide separate buildings and schools for the education of white and black pupils, and no white child shall be allowed to attend any colored school, nor shall any colored child be allowed to attend any white school.

§ 6. That section 24 of chapter 24, Acts of 1916, be amended by adding the words "elementary agriculture after July 1, 1920," after the words "and the history of Kentucky," so that when said section is amended it will read as follows:

Course of Study.—The instruction prescribed by the board shall embrace spelling, reading, writing, arithmetic, English grammar, English composition, geography, physiology and hygiene, civil government, United States history and the history of Kentucky. Elementary agriculture shall also be taught after July 1, 1920.

After July 1, 1893, the nature and effects of alcoholic drinks and narcotics upon the human system shall, in all schools supported wholly or in part by the state, be taught as thoroughly as other required studies to all pupils studying physiology and hygiene as a part of this branch.

§ 7. That section 129 of chapter 24, Acts of 1916, be amended by striking out the word "twenty" after the words "shall levy a tax for school purposes not to exceed," and inserting in lieu thereof the word "fifty," so that when said section is amended it will read as follows:

Tax May Be Levied By Fiscal Court—Collector—Treasurer.—It shall be the further duty of the county board of education to estimate and lay before the fiscal court of the county the education needs of the county in accordance with such estimate, and said county shall levy a tax for school purposes not to exceed fifty cents on each hundred dollars of assessed valuation of property in the county, and a capitation tax, not exceeding one dollar, and the sheriff shall then collect this tax as other state and county taxes are collected; provided, no tax for school purposes shall be levied under this act upon property in cities and towns maintaining a first class system of public schools in which all grades are already taught to the satisfaction of the State Board of Education, and upon property in school districts which are made exempt as provided for in section 77 of this act.

When the tax so levied shall have been collected by the sheriff of the county, he shall turn over to the county superintendent, who shall act as treasurer of the county board of education, the amount of money so levied and collected, and the county board shall expend the money so received in the

building, improvement, and equipment of the school houses, for the purchase and condemnation of necessary real estate, for the payment of teachers, purchasing necessary supplies and the extension of the school term in the various subdistricts throughout the county, as in their judgment as a county board the needs of the individual schools for white and colored pupils demand.

The county superintendent shall give such special bond as may be approved by the county court.

No fund shall be paid out except on the order of the county board, signed by the chairman and countersigned by the secretary.

That section 46, chapter 24, Acts 1916, be amended by striking therefrom the words "or a certificate of qualification which shall in all respects be the equivalent of a state certificate issued by the State Board of Examiners, on a personal examination held at the state capitol on the last Friday and Saturday in May and June next preceding the election of county superintendent," after the words "expire during his proposed term of office," and inserting in lieu thereof the words "or a life certificate issued by the State Board of Education or a diploma granting the degree of Bachelor of Arts in education or Bachelor of Science in education or an advanced certificate that has been extended for life issued by the University of Kentucky or an advanced certificate that has been extended for life, issued by the State Normal Schools." And striking therefrom the words: "The fee for such an examination shall be five dollars and shall be divided among the members of the State Board of Examiners; the said certificate shall not entitle the holder thereof to teach in the common schools of the state," before the words "in the counties embracing any city of the first class." And striking therefrom the words, "No person shall be eligible to hold office of county superintendent excepting such county superintendents as are now in office and such persons as have obtained a state diploma or state certificate issued by the State

Board of Examiners or a certificate as is herein provided for," after the words "of such county outside of such city or town," and inserting in lieu thereof the words, "provided, this act shall not affect the county superintendents who are now in office, but shall apply to all county superintendents who take office either by appointment or election after this bill becomes a law," so that when said section is amended it will read as follows:

Qualification—Examination—Fees—Cities of the First Class.—(1) There shall be a county superintendent of common schools in each county of the state, who shall be possessed of good moral character and ability to manage the common school interests of the county efficiently. He shall possess a good English education and shall be competent to examine the teachers who shall apply to teach the common schools in the county. He shall be twenty-four years old at the time of qualifying, a citizen of Kentucky, shall have resided two years next preceding the election in this State and one year in the county for which he is a candidate. No person shall be eligible to the office of county superintendent unless he shall hold from the State Board of Examiners a state diploma or a state certificate which will not expire during his proposed term of office, "or a life certificate issued by the State Board of Education, or a diploma granting the degree of Bachelor of Arts in education or Bachelor of Science in education or an advanced certificate that has been extended for life issued by the University of Kentucky, or an advanced certificate that has been extended for life issued by the State Normal Schools.

In counties embracing any city of the first class and maintaining a system of public schools separate and distinct from the common schools of the county, no person shall be eligible to the office of county superintendent other than a resident of such county outside of such city or town; provided, this act shall not affect the county superintendents who are now in office, but shall apply to all county superintendents who take

office either by appointment or election after this bill becomes a law. That section 50, chapter 24, Acts 1916, be, and the same is, hereby repealed and the following re-enacted in lieu thereof:

The salary of any county superintendent shall not be less than $1,000.00 nor more than $2,000.00 per annum. Said salary shall be paid monthly by the fiscal court out of the county levy, as it is now paid.

Before the fiscal court shall allow the salary, it shall be satisfied from the statement subscribed and sworn to by the superintendent, and from such other evidence as may be adduced, that he has visited the schools of the county and that said services have been faithfully and efficiently performed according to law.

In his report to the Superintendent of Public Instruction the said superintendent shall state the full amount allowed him by the fiscal court for his official services.

Said salary shall be allowed the superintendent for all services rendered and expenses incurred by him under the provisions of this law; and the fiscal court shall furnish the county superintendent with a suitable office free of charge, large enough to accommodate the county teachers' library and the assistants in his office.

And that section 181 of chapter 24, Acts 1916, be amended by striking therefrom the word "students," after the words "grant certificates to the" and inserting in lieu thereof the word "graduates," and by striking therefrom the words "by the applicant," after the words "accomplished in said institution," and adding at the end of said section the words:

"The State Board of Education may grant certificates to teach in the high schools of the state to graduates of standard colleges of agriculture either within or without the state who have had one-tenth of their work in education, which certificate shall be vaild for four years and renewable at the option of the State Board of Education. Applicants for this

certificate may present a satisfactory equivalent for the requirements herein set forth."

So that when said section is amended it will read as follows:

Higher Institutions in State or out to be Recognized—Standard of Work.—The State Board of Education may, on the application of an institution of higher learning, whether within or without the state, that is not conducted for private gain, inspect such educational institutions, investigate their work, standards and courses of study, and in its own discretion, grant certificates to the graduates of such institutions, giving them the right to teach in the high schools of Kentucky. Such certificates shall be issued upon evidence furnished by the applicant for the work and attainments accomplished in said institutions. No such certificates shall be given for any work done in such institutions of a lower amount or standard than that required for similar certificates issued by the State Board of Examiners, or granted to the students of the State University of Kentucky and the State Normal Schools of Kentucky.

The State Board of Education may grant certificates to teach in the high schools of the state to graduates of standard colleges of agriculture either within or without the State who have had one-tenth of their work in education, which certificate shall be valid for four years and renewable at the option of the State Board of Education. Applicants for this certificate may present a satisfactory equivalent for the requirements herein set forth.

§ 8. That section 78 of chapter 24, Acts 1916, be, and the same is, hereby repealed and the following enacted in lieu thereof:

The county board of education shall have full power, when necessary to lay off or establish new school subdistricts or to change the boundaries of those already established; provided, that no change in the boundary of any subdistrict shall

be made to take effect during the current or the following school year, unless made previous to taking or estimating the census of the pupil children in the county for such school year.

That section 87 of chapter 24, Acts 1916, be, and the same is, hereby repealed and the following enacted in lieu thereof:

The school districts and subdistricts of the several counties, as at present described and numbered, shall be retained until altered or abolished pursuant to law, but no two subdistricts in the same county shall be known by the same name or number.

§ 9. That all laws and parts of laws in conflict with this law are hereby repealed. As this bill changes the age of pupil children entitled to the common school fund and as the census of said children will be taken in the month of April, 1918, and in order to do justice to all counties and state there is declared an emergency and this bill shall become in full force and effect from and after its passage and approval by the Governor.

Mr. Bell moved that said bill be recommitted.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 108. An act repealing section 4527, chapter 113, article 16, Kentucky Statutes, Carroll's edition 1915, relative to the State Normal School for colored persons and amending and re-enacting same.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 4527, chapter 113, article 16, Kentucky Statutes, Carroll's edition 1915, relative to the State Normal

School for Colored Persons, be and the same is hereby repealed, and the following re-enacted in lieu thereof:

Trustees—Appointment—Term of Office—Powers—Vacancies—Treasurer.—The State Normal School for Colored Persons, established by an act of the General Assembly, approved May eighteenth, one thousand eight hundred and eighty-six, shall hereafter be under the control and supervision of a board of trustees, composed of the Superintendent of Public Instruction, who shall be ex-officio chairman of the board, and three intelligent and discreet persons, to be appointed by the Governor subject to the approval of the Senate, who are hereby constituted a body corporate, with power to sue and be sued, plead and be impleaded, and to hold in trust all funds and property now owned by said school, or which may herafter be provided for it, and shall be known and designated as "the board of trustees of the Kentucky State Normal School for Colored Persons," provided that no two appointive members of said board shall be residents of any one county.

The term of office for the three members appointed by the Governor shall begin on the first day of July, one thousand eight hundred and ninety-three, and one member thereof shall retire as may be determined by lot at the end of one year thereafter; one in two years and the other in three years; their successors shall be appointed by the Governor for a term of three years; they shall be subject to removal by the Governor for cause, and he is authorized to fill all vacancies occurring by death, resignation or otherwise, provided that the board as now constituted shall continue in office for their respective terms.

Said board shall adopt such rules for the government of said school, not inconsistent with law, as they deem proper, and shall supervise all its interests, provide for all its wants, confer weekly with the faculty and require formal reports of the actual condition of the school in every regard. They shall biennially, beginning on the first day of July, 1893,

elect some suitable person outside of their own number as treasurer, who, before entering on his duty, shall give in bond such a sum as they may prescribe, and they shall agree with him as to compensation: Provided, that in no case shall such compensation exceed one hundred dollars per annum; provided that no member of the board of trustees of the State Normal School for Colored Persons shall draw any salary for their services as such, but shall be paid their necessary traveling expenses and hotel bills in going to and from each meeting of the board and other legitimate expenses, to be paid out of any money now appropriated by the State of Kentucky for said State Normal School for Colored Persons, said expenses to be paid after an itemized account is filed as is now required by law for similar expenses against the State.

§ 2. That all laws and parts of laws in conflict with this law are hereby repealed.

The Committee on Education No. 2 offered the following amendments to said bill, viz.:

Amend House Bill No. 108 in the House by striking out of lines 20 and 21 of section 1, on page 2, the following words: "one thousand eight hundred and ninety-three" and inserting in lieu therof the following words: "one thousand nine hundred and eighteen."

Also amend said bill by striking from line 33 of section 1, page 3, the following figures: "1893" and inserting in lieu thereof the following: "1918."

Each and all of said amendments were adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	L. B. Hamilton	T. P. Oliver
Chas. Ashby	E. C. Hardin	W. F. Paris
W. T. Beckham	B. H. Harris	Lilburn Phelps
B. C. Beckmann	David J. Howard	Luther Pieratt
H. V. Bell	A. R. Hudson	Ote Piper
J. L. Bradford	Chas. L. Hunter	H. C. Rice
O. V. Brown	J. W. Johnson	Lewis Ryans
R. J. Cain	Leslie P. Jones	Avery Sartin
T. L. Caudel	W. H. Jones	Joe Schneider
H. C. Chappell	W. F. Klair	Claude B. Smith
John Cook	H. A. Knollmann	R. T. Smith
James S. Cruse	S. D. Laughlin	Thomas Spurrier
J. C. Davis	J. E. Lilly	Ben Street
A. A. Demunbrun	Harry J. Meyers	John W. Swope
H. L. Dixon	Clarence Miller	J. T. Thornton
W. G. Dycus	John T. Murphy	J. Wood Vance
F. A. Easterling	A. J. McCandless	F. C. VanHoose
L. L. Embry	W. P. McDonogh	G. C. Waggoner
I. H. Gabbard	H. C. McGehee	G. Frank Walthal
Lark Garnett	H. C. McLellen	T. R. Welch
J. S. Hall	W. B. O'Bannon	W. N. Winn
A. L. Hamilton	A. J. Oliver	E. G. Young

—66

Those who voted in the negative were—

Joe Huddleston S. G. Thornberry —2

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 296. An act to repeal sections 3184, 3185, 3186, 3187, 3187a, 3187b, 3188 and 3189 of the Kentucky Statutes and to enact in lieu thereof, sections 3184, 3185, 3186, 3187, 3187a, 3187b, 3187c, 3187d, 3187e, 3187f, 3187g, 3187h, 3187i, 3187j, 3187k, 3188, 3189, 3189a, and 3189b, relating to revenue and taxation in cities of the second class.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That sections 3184, 3185, 3186, 3187, 3187a, 3187b, 3188 and 3189 of the Kentucky Statutes, Carroll's edition of 1915, relating to revenue and taxation in cities of the second class be, and the same are, hereby repealed and, in lieu thereof, the following sections, to-wit: 3184, 3185, 3186, 3187, 3187a, 3187b, 3187c, 3187d, 3187e, 3187f, 3187g, 3187h, 3187i, 3187j, 3187k, 3188, 3189, 3189a and 3189b are now enacted:

Section 3184. Auditor to Deliver Books to Clerk—Tax Bills—Delivery of to Auditor and by Him to Treasurer—Notice to Taxpayer.—As soon as the tax levy ordinance becomes a law, the Auditor shall deliver the assessment books to the city clerk, who shall from them make out tax bills. Said bills shall show each lot, the assessment thereon, and the tax separately, shall give the name of the supposed owner, and shall give the net total assessment of personal property against said person and the tax thereon; and shall be so arranged that the tax bill for each half year may be detached and have each part intelligible. There shall be a stub to each bill which shall show in condensed form the items and amounts in the bill, and the bills and stubs shall be numbered consecutively; the stub to correspond to the bill to which it is attached. Bills and stubs to be bound in book

form. On or before the first day of May in each year the clerk shall deliver the assessment books and tax bills, fully made out, to the Auditor, and together they shall ascertain whether the sum of the tax bills, equals the amount of tax which, at the rate fixed, the total assessment should realize, and if it does not, they shall find and arrest the error. When the two agree, the Auditor shall receipt for the assessment books and tax bills. On or before the twentieth day of May in each year the Auditor shall deliver all tax bills to the treasurer, and take his receipt for the gross amount of them. As soon as practicable after the tax bills are delivered to the Treasurer, he shall, by himself, deputy or employes, mail to each person against whom a tax bill has been listed, or to the guardians and committees of infants and persons of unsound mind, a postpaid notice, directed to the best of his knowledge, stating the number and amount of the bill, the date when due and the penalties imposed for non-payment; but this provision as to notice is directory, and failure of the Treasurer to send such notice, or of the taxpayer, guardian or committee, to receive it, shall not invalidate the tax, or the interest or penalties, or any subsequent proceeding for the collection thereof.

Sec. 3185. When and How Taxes Due and Payable—Penalty for Non-Payment.—Ad valorem taxes shall be due and payable, without demand therefor, at the Treasurer's office, one-half each on the first day of June and the first day of October in each year, but the whole tax for the year may be paid on or after the first day of June. Taxes may be received by the city at any time after the tax bills have been made out and delivered to the Treasurer as provided in section 3184, but no discount shall be allowed on taxes paid before they are due. Taxes not paid within one calendar month after they are due, shall be deemed delinquent and shall have added to them a penalty of ten per centum of the amount thereof, and shall thereafter bear interest at the rate of one-half of one per cent for each month or fraction of a month

until paid, or until the property of the delinquent has been sold for the tax as hereinafter provided. When taxes are paid the Treasurer shall note on the stub of the bill the amounts paid on same and the date thereof. When any person shall desire to pay taxes on any one item of real estate in a tax bill he shall be allowed to do so, if the city's interest will not be prejudiced thereby, and will be given a receipt showing the date and amount of the payment, the number of the tax bill, the name of the person against whom the tax bill is made out and a sufficient description to identify the property on which the taxes are paid. A corresponding notation shall be made on the tax bill and the stub and the city's lien will thereupon stand released as to said property, but the tax bill will not be surrendered until paid in full. No person will be allowed to pay taxes on real estate leaving unpaid any taxes on personal property in the same bill.

Section 3186. Distraint and Sale of Personal Property for Taxes.—As soon as any taxes become delinquent, either in whole or in part, the Treasurer may distrain sufficient personal property owned by the delinquent taxpayer, or which was owned by him at the time of the assessment, notwithstanding any lien upon the same and may proceed to sell enough thereof to satisfy all taxes, penalties and interest due by such taxpayer to the city whether the same be due for taxes on the property sold or on other personal property or real estate, and the further sum of two dollars ($2.00) for the cost of the advertisement and sale. Said sale shall be for cash, and the levy, advertisement, sale and delivery to the purchaser shall be made in like manner as of goods levied on by sheriffs under executions on replevin bonds; and the laws of this Commonwealth governing powers and duties of sheriffs in levying on and selling property under executions on replevin bonds shall be applicable to said Treasurer and shall regulate his powers and actions as to the order and manner of levying on property and the advertisement and sale of same. No warrant shall be required for such dis-

traint, but the tax bill unpaid in whole or in part, shall give all necessary power for such distraint and sale and all subsequent proceedings thereunder. No distraint or sale of personal property shall be necessary to validate any sale of real estate for taxes as provided in the next section, and no such sale of real estate shall be void because of any failure of the Treasurer to distrain or sell personal property for such taxes. Personal property held by guardians, committees, trustees or agents for other persons may be distrained and sold for the taxes of such other persons in the same manner as herein provided.

Section 3187. Sale of Real Estate for Taxes—Procedure. —On the second Monday in December of each year, or as soon thereafter as practicable, the Treasurer shall sell a sufficient amount of the real estate, whether the same be encumbered or not, of each delinquent taxpayer to satisfy and discharge all unpaid taxes of such delinquent with interest and penalties thereon and the further sum of two ($2.00) dollars for the cost of advertisement and sale. Said sale shall be made to the highest and best bidder for cash at public auction, at or about noon, at the main entrance of the city building. One or more parcels of property may be sold for all of the taxes of the delinquent whether the same be for taxes on the property sold or for the taxes on other property, real or personal. When a parcel of land is offered for sale, the Treasurer will inquire if any one will buy an interest therein, less than the whole thereof, and pay the taxes, interest, penalty and costs thereon and he will sell only so much thereof or such an interest therein as will produce the amount to be realized. If no one will take less than the whole of the property and pay the taxes, interest, penalties and cost thereon, he will sell the whole of the property. If no one will bid said amount, it shall be the duty of the Treasurer to purchase the property for the city for the amount of said taxes, interest, penalty and costs. If one or more persons own a life estate or other particular estate in the property sold with the re-

mainder over to others, the treasurer will first offer the particular estate for sale and if no one will bid enough therefor to pay the taxes, interest, penalty and costs, he will then sell the whole property. Except as otherwise provided herein, said sale shall be made in the same manner that property is sold by sheriffs under execution except that no levy or appraisal shall be necessary. Should any person purchase property at such sale, and then fail to pay for same, the Treasurer shall immediately resell the property. Land sold for delinquent taxes may be resold, in like manner, for taxes for succeeding years. If, for any reason, land is not sold at the time fixed in this section, it may be advertised and sold at any time thereafter in the manner herein provided. Before making said sale the Treasurer will cause a notice thereof to be published in the official newspaper of the city for at least ten days just preceding the day of sale showing the time, place and terms of the sale, the names of delinquent taxpayers, numbers of the tax bills, the total amount of taxes, interest, penalties and costs due on each bill and a brief description, by lot and block numbers as shown on the city maps or by such other descriptions, sufficiently accurate to identify each parcel of property to be sold. Within thirty days after the sale, the Treasurer shall cause to be delivered to each delinquent, whose real estate has been sold, or if the delinquent be an infant or a person of unsound mind or a non-resident, then to his guardian, committee or agent, a written notice of the sale, the time within which the property can be redeemed and the amount required to redeem it. If notice is not served within said thirty days, it may be served as soon thereafter as practicable: Provided, that if the notice is not given six months before the expiration of the period of redemption as provided in section 3187b, then such period of redemption shall be extended until six months after the service of such notice, but failure to give notice shall not defer the purchaser's right to possession as provided in section 3187c. Such notice may be executed by any police officer of the city

or any other officer or person authorized by law to serve a notice. Any purchaser of property sold for taxes may cause such notice to be given with the same effect as if given by the Treasurer. In either case the notice, with the officer's written return thereon, showing the time and manner of service shall be returned to the Treasurer's office and recorded in a book provided for that purpose and be preserved there. In no event shall a deed be executed to a purchaser when notice has not been given as required. All moneys received by the Treasurer for property sold for taxes under this and the preceding section including money collected for costs shall be promptly accounted for and paid over by him to the city in the same manner as taxes collected in the usual and regular way.

Section 3187a. Report of Sales—Certificate to Purchaser.—The Treasurer shall, within ten days after selling land for taxes, make a written report thereof to the Auditor showing the time and place thereof, the name of each delinquent, the years for which the sale is made, the number of each tax bill and the amount of taxes, interest, penalty and costs thereon for each year, the name of the purchaser, the amount paid and a brief description, by lot and block numbers as shown by the city maps, or otherwise, sufficiently accurate to identify each parcel of property sold, which report shall be recorded in the Auditor's office in an appropriate book provided for said purpose with an alphabetical index of the names of delinquents whose property has been sold, and said book shall contain appropriate columns and spaces opposite each name in which shall be entered a record of the sale and redemption of the land or of its conveyance to the purchaser in case it be not redeemed. The original report of the Treasurer shall likewise be preserved. Upon the purchase of any real estate by any person other than the city, and upon the payment of the purchase price, the Treasurer shall give to the purchaser a certificate of purchase which shall be in substance a copy of the Treasurer's report as to

the property bought by such person. A duplicate of each certificate thus issued shall be recorded in a book kept for that purpose in the Auditor's office as a public record. In cases where property is bought in by the city for taxes, it will not be necessary for the certificate of purchase to be issued to the city, but the Treasurer's report herein provided for, shall be deemed his certificate of such sales to and purchase by the city.

Section 3187b. Redemption of Land Sold for Taxes—The owner, other than persons under disability, of any real estate sold for taxes, his heirs, representatives or assigns, shall have the right to redeem the same from the purchaser thereof, whether it be the city or other person, at any time within two years from the day of the sale by paying, to the city treasurer, the amount of the purchase price at said sale with interest thereon at the rate of one per centum per month, or fraction thereof, from the day of sale until paid and, in addition thereto a penalty of ten per centum upon said purchase price. Provided, however, if the lands sold for taxes belong to a person who is under any legal disability at the time of the sale such person shall have one year after the removal of the disability within which to redeem the property and if more than one owner of such property be under disability, said period of redemption shall not expire until one year after the removal of the disability as to all of such persons. During the time allowed for redemption, and until the land so sold shall have been conveyed to the purchaser, the land shall be assessed for subsequent tax levies in the name of the delinquent owner and may be sold during that time in the name of said delinquent owner for taxes for any subsequent years which may become delinquent and, upon redemption of land, said delinquent shall be required to pay all of said taxes with interest, penalties and costs as herein provided. Any person who, at the time land is sold for taxes, had a recorded lien thereon, may redeem said land, in the manner herein provided, for the benefit of the delinquent

owner and thereupon shall have a lien on said property for the amount paid in redeeming same with six per cent per annum interest until paid, which lien, however, shall be subordinate to the lien of the city for taxes for subsequent years. All moneys paid to the Treasurer in redemption of land purchased by the city shall be accounted for by him and paid over to the city in the same manner as taxes collected in the usual and regular way. When money is paid to the Treasurer in redemption of land purchased by any person other than the city, the Treasurer will promptly notify such purchaser by postpaid letter or card mailed to his address as shown on the stub of the certificate of purchase and will pay said money to said purchaser upon production and surrender of the certificate of purchase provided for in the preceding section, and the Treasurer will then cancel the certificate and make proper notation of such redemption and payment on the stub. The city shall in no manner be responsible to purchasers for money thus received by the Treasurer, but the Treasurer and his official bond shall be held for the same. Tax bills for succeeding years against property of persons delinquent for preceding years shall be stamped "See delinquent bills," so that attention may be called thereto and when any money is paid by the delinquent the Treasurer shall credit same on the oldest unpaid bills.

Section 3187c. Conveyance to Purchaser.—If the land be not redeemed within the time prescribed in the preceding section a fee simple title thereto shall vest absolutely in the purchaser, whether it be the city or another person, subject only to state and county taxes. Thereupon the treasurer, then in office, shall convey the property by deed to the purchaser, who shall then be entitled to possession of the property, and the occupant of the property shall thereafter be deemed a tenant at will of the purchaser and liable to him for the reasonable rental of the property, and the purchaser shall have the right to recover possession of the property in the same manner as provided by law for the recovery of possession by a landlord

of property occupied by a tenant at will; provided, however, that it shall be the duty of a purchaser other than the city, to pay all later taxes with interest, penalties and costs, which were assessed against the property after the assessment of the taxes for which it was sold, and the treasurer shall not convey the property to the purchaser until the same are paid. The deed to be executed by the treasurer shall describe the property by lot and block number as shown on the city maps, if the property is so numbered, and the deed may contain the description of the property as contained in the title deeds therefor. The deed will be executed by the city treasurer and attested by the city clerk under the seal of the city, and will be acknowledged by the treasurer as other deeds are acknowledged and will pass all of the title, legal or equitable, of the delinquent owner, for whose taxes the land was sold free of all liens except state and county taxes, and said deed shall be *prima facie* evidence of the regularity of the sale and of all prior proceedings, and title to the person to whom the deed is executed, but neither the city nor the treasurer shall be deemed a warrantor of the title. In cases where the property of persons under disability is sold no conveyance shall be executed to the purchaser until the time for redemption has expired as provided in the preceding section, but he shall be entitled to possession at the end of one year from the sale the same as in other cases; provided, in case of redemption of such lands the purchaser shall not be entitled to interest during the time he was in possession of the property or receiving the income therefrom. Any land sold and conveyed to the city for taxes as herein provided may be held and used by the city for any proper municipal purposes or may be sold or rented out at such time and in such manner as the general council may direct by ordinance and the proceeds thereof covered into the city treasury.

Section 3187d. Suits for the Collection of Taxes.—In addition to the powers given to cities of the second class by the provisions of this act for the collection of taxes by sale of

delinquents' property, such cities shall have the power to enforce the collection of any taxes due them, and to enforce its lien on the property of the delinquent, by any and all remedies given by general law for the recovery of debt in any court of this Commonwealth otherwise competent for that purpose, and suit for the collection of taxes may be instituted at any time after such taxes become delinquent. In any such action the city may file a copy of the tax bill attested by the treasurer under the seal of the city and said tax bill shall be *prima facie* evidence of the due and regular assessment of the property for taxation, the levy of taxes thereon, and of every other fact and proceeding necessary to entitle the city to judgment for the taxes with all interest and penalties thereon and the costs of the action, and to have a sale of the property for payment of same, though said relief be against a non-resident or person under disability. When any property has been sold for taxes as provided in this act, the purchaser may, at any time thereafter, institute an action in equity against the owners of said property and shall be entitled to recover judgment for the amount of the purchase money with interest and penalty thereon as provided in section 3187b and the costs of the action and to have the property sold for the payment of same. In such action the plaintiff may file a copy of his certificate of purchase attested by the treasurer under the seal of the city and the same shall be *prima facie* evidence of due and regular assessment of said property for taxation, the levy of taxes thereon, the sale of said property to the purchaser and of every other fact necessary to entitle him to the relief sought, though said relief be against a non-resident or person under disability; provided, that no personal judgment shall be rendered against a person under disability or against a non-resident who has not appeared or been summoned in the action, and proceedings against such persons shall be as provided in the Civil Code of Practice. Circuit courts shall have jurisdiction of all proceedings to enforce liens on real estate

for taxes as herein provided without regard to the amount of same.

Section 3187e. Removal of Property.—Whenever the treasurer shall believe, and have reasonable grounds to believe, that any personal property which has been assessed for taxation by the city is about to be removed from the city and that the city will thereby lose the taxes on same, it shall be his duty to immediately distrain and sell enough of said personal property to satisfy said taxes in the same manner as provided in section 3186 for the collection of delinquent taxes on personal property.

Section 3187f. Guardians—Committees—Trustees and Agents to Pay Taxes.—Every guardian, committee, trustee or other fiduciary appointed under the laws of Kentucky or by a deed of record in this state who has the management of any lands or other property in the city, and every agent of a non-resident owning property in the city who collects the rent or income thereof shall, out of the net income of such property, pay all city taxes assessed thereon when due, and before applying such income to the wants of, or paying it over to, his beneficiaries or employer, any instructions of the latter to the contrary notwithstanding, and in default thereof, he shall be liable for such taxes to the amount of the income which he might have so applied, which liability may be enforced in any court of competent jurisdiction, and it shall not be an answer to any such action that the city has a lien upon said property as a security for its taxes. Any guardian, committee, trustee or other fiduciary who shall fail to pay the taxes assessed against the property of his beneficiary as herein required, or who shall fail to redeem the property of his fiduciary, which may have been sold for taxes, after receiving notice from the treasurer as provided in section 3187b, shall be liable on his official bond for all interest, penalties or other damages or loss due to such failure.

Section 3187g. Taxes Constitute Lien on all Property of Taxpayer.—Taxes which remain unpaid in whole or in

part after same become due, with interest and penalty thereon, shall be deemed a debt from the owner, of the property on which the taxes are assessed, to the city arising as by contract and may be enforced as such by all remedies given for the recovery of debt in any court of this Commonwealth otherwise competent for that purpose. Taxes assessed against an administrator, executor or trustee shall be a charge against the whole succession of trust estate and may be in either case enforced accordingly.

Section 3187h. Omitted Property.—When any property, subject to taxation by the city, has been omitted from assessment for any year, the city may, by direct action brought in the name of the city by its duly authorized attorney or agent in any court otherwise competent for the purpose, recover judgment against the person liable for the payment of such taxes (except persons under disability) for such amount as the taxes to the city on such property, with interest and penalty thereon, would be for such year if the property had been assessed at its assessable value for such year, and for the costs of the action. Such judgment may be enforced as other personal judgments and the property may be sold by order of the court in satisfaction of the taxes, interest, penalty and costs. In such action it shall be sufficient for the city to allege and prove the description and value of the property; that it was subject to assessment and taxation by the city for the year in question and was omitted from such assessment and that the taxes thereon for such year had not been paid, and that the person sued is the person liable for the payment of such taxes. Defense may be made by showing: (1) that the property was not subject to assessment and taxation for the year in question: (2) that the person sued is not the owner of the property or liable for the payment of taxes thereon for such year: (3) that the taxes on the property for the year in question had been paid. In all cases the court may hear evidence and determine the assessable value of the property as of the year in question. In cases where the omitted prop-

erty had changed ownership the action may be against the person who was the owner thereof at the time the assessment should have been made or the owner at the time of the action or both. Personal judgment may be given against the person who was the owner at the time the assessment should have been made, and a judgment *in rem* may be given against the property as above provided and may be enforced accordingly. When property of persons under disability is omitted from assessment, the collection of taxes thereon may be enforced by action as herein provided except that no personal judgment shall be rendered. Proceedings against such persons shall be as provided in the Civil Code of Practice.

Section 3187i. Debtor or delinquent Required to Pay Taxes.—Whenever the treasurer, having in his hands delinquent tax bills for collection, believes another person to be indebted, in money or property, to the person owing such taxes, he may deliver, or cause to be delivered, to the person owing the taxes, if he can be found, and to the person indebted to said delinquent, anywhere he may be found, a written notice in substance as follows: "You are hereby notified that .....is indebted to the city of..... in the sum of $..... for taxes with interest and penalties thereon with $..... added for the costs of this proceeding, amounting to the total sum of $..... To that extent you are notified not to pay or deliver to him any money or property that you now owe, or may hereafter owe to him, and to appear before the court of (county judge or justice of the peace) of ..... county, on the first day of the next term of said court beginning on the ..... day of ....., to show cause why you should not be adjudged to pay said taxes with interest, penalty and costs." Said notice shall be signed by the treasurer and shall operate to enjoin the person named in it from paying the amount mentioned in the notice, money, property, notes, accounts and other things of value, owing at the time of the service of the notice, or accruing thereafter, until the matter is heard by

the court. Said notice shall be returnable to the court designated therein and said court shall have full jurisdiction of the proceeding; provided, however, the amount in controversy does not exceed the jurisdiction of the court as provided by law. No bond or affidavit shall be required of the city or said treasurer, but the treasurer will file a copy of the tax bill attested by the city clerk under the seal of the city if required by the court. On the hearing by the court, the debtor of the delinquent shall be compelled to disclose, in open court, all matters of account and indebtedness, whether of money, property or labor, owing at the date of the notice, or incurred thereafter. The court shall direct the said debtor to pay or deliver to the treasurer, having such tax bills for collection, any money, property or other thing then, or at the time notice was served, due said delinquent, or to the extent of such taxes and costs, or to the extent of his liability, including such as accrued after notice, though paid or discharged, and if it be property, the treasurer having such tax bills for collection, shall sell the same after advertisement in the manner provided in this act for the sale of personal property distrained for taxes. If the person so indebted to the person owing taxes fail to attend, or fail to make disclosure, the court shall render judgment against him for all taxes, interest, penalty and costs, and the court may compel the attendance of such person and such disclosure by him in the same manner as provided by law with reference to garnishees. The person owning taxes shall not be discharged from liability for them until they are fully paid, or the amount realized under the proceedings aforesaid. All persons indebted to the person owing the taxes may be included in the same notice. The proceedings shall be docketed in the name of the city and, if necessary, to the interest of the city, the court may cause other parties to be brought in before it, and made party to the proceedings. The court may hear evidence, and in its judgment, shall provide for the payment of all taxes due the city with penalty, interest and costs, provided that the delinquent shall have the

right to defend by showing, first, that the property has never been assessed, but it shall not be sufficient to show a defective assessment merely; second, that the property is not subject to taxation; third, that the taxes have been paid. Any of the things and duties to be performed by the treasurer in this section may be done and performed by his deputy or other agent, employe or collector of the city employed for said purpose.

Section 3187j. City Records Constitute Notice—Remedies Cumulative.—The assessment of property by cities of the second class, the levy of taxes thereon, the tax bills and the sale of property for taxes and the treasurer's report thereof and all other acts, of record, of such cities relating to the assessment of property and the levy of taxes thereon shall be deemed conclusive notice to all persons of such assessment, levy and sales and the liens and rights created thereby, and no irregularity in such proceedings shall invalidate or defeat the collection of taxes by the city upon any property subject to taxation therein, and the courts will make all necessary orders to require all such property to bear its just proportion of taxation in such cities. The remedies given in this act are cumulative, each of said remedies being in addition to each of the other remedies given herein and in addition to any other remedies now provided or that may be provided for the collection of taxes by cities of the second class.

Section 3187k. All Taxes Subject to This Act.—All taxes for whatever year levied, which shall be owing to a city of the second class on the first day of June, 1918, and which are then due and unpaid, whether in suit or not, or which shall thereafter become due, shall on and after that date be subject to all of the provisions of this act, including the provisions for the sale of property for taxes and the consequent penalties and interest thereon, and the collection of such taxes may be enforced by any of the remedies herein provided.

Section 3188. Delinquent Tax Collector—Duties and Powers.—The general council may, in joint session, elect a

delinquent tax collector for such term, not exceeding two years, as may be fixed by ordinance, who shall have the same qualifications as the treasurer. His duties, bond and compensation shall be fixed by ordinance, or the general council may, by ordinance, authorize the city solicitor to act as delinquent tax collector upon execution of such bond as may be required and it shall likewise fix his compensation. The treasurer shall, from time to time, turn over to the delinquent tax collector, for collection, such delinquent tax bills as may be authorized by the general council, and the delinquent tax collector shall then have all powers for the collection of same conferred by this act upon the treasurer, except that he shall have no power to sell real estate or execute deeds for same. He shall make daily reports to the auditor of collections, giving to him a duplicate receipt from the treasurer for the collection, and he shall make a settlement with the auditor whenever required.

Section 3189. Treasurer's Report and Settlement.—On or before the first day of March in each year and at such other times as the general council may require, the treasurer shall make a full written report to, and settlement with, the general council or a duly appointed committee thereof, in which he shall account for all tax bills which came into his hands for collection for the preceding year or years by showing: (1) that he has collected said bills and turned the money over to the city; or (2) that he has sold the property of the delinquents and purchased the same for the city; or (3) that no property can be found from which to collect the tax bills; or (4) that for some other good and sufficient reason they are uncollectible. In the last two instances he will endorse the tax bills "No property found," or will endorse a brief statement thereon showing the reason they are uncollectible. When said report and settlement is approved by the council, it will give the treasurer his quietus. Before giving such quietus the council may question the treasurer under oath or hear other evidence concerning the correctness of said report as to un-

collected tax bills; and unless the council shall be satisfied that such taxes could not have been collected by the treasurer by the exercise of reasonable diligence, they will not allow him credit therefor. In all cases of failure or omission of the treasurer to collect tax bills or show that they are uncollectible, to the satisfaction of the general council as herein provided, the treasurer and the sureties on his official bond shall be liable to the city for such uncollected taxes. The treasurer, after his term of office expires, shall have until and including the first day of the following March in which to make his final report and settlement as herein required, and during that time shall have access to all records of the city pertaining to the collection of taxes for the preceding year, for the purpose of collecting any unpaid taxes and for said purposes shall have all powers conferred upon him by this act during his term of office. The endorsement of a tax bill, "no property found," or other endorsement thereon that it is uncollectible, shall not prevent the city from collecting the tax bill whenever it can do so, and nothing herein shall be construed as preventing the treasurer from collecting any unpaid tax bills left by his predecessor, but the treasurer and the surety in his bond shall not be liable for his failure to collect any uncollected bills left by his predecessor.

Section 3189a. Proceedings in Cities Governed Under the Commission Form of Government.—In any city of the second class operated and governed under the act of the General Assembly of Kentucky, published as chapter 50 of the act of 1910, commonly known as the commission form of government, the board of commissioners shall do and perform those things and duties prescribed in this act for the general council; the commissioner of public finance shall do and perform those duties and have all powers and liabilities herein prescribed for the treasurer; and those things and duties prescribed in this act to be performed by the auditor, city clerk and delinquent tax collector shall be done and performed by such employes as may be appointed by the board of commissioners,

and such employes, when so designated and appointed shall have all the rights and powers herein prescribed and conferred on the auditor, city clerk and delinquent tax collector respectively.

Section 3189b. Council May Modify or Change Manner of Assessment and Collection.—The general council, or board of commissioners, of any city of the second class may, at any time, by ordinance, modify, alter or change the manner of assessment of property for taxation, and the levy and collection of taxes as herein provided, and may prescribe by ordinance, in what manner and form property shall be assessed for taxation, and taxes levied and collected thereon, provided, that the rates of interest and penalties shall not be increased nor the period of redemption decreased or the notice to delinquent taxpayers, after their property has been sold for taxes, be dispensed with as required by this act, Whenever a city of the third class is transferred to a city of the second class, and an assessment of property has been made by said third class city for municipal taxation, the same shall be valid and binding as if it had been made under the porvisions of this act.

§ 2. All acts and parts of acts in conflict herewith are, to the extent of such conflict, hereby repealed.

Mr. Klair offered the following amendments to said bill, viz.:

(1) Strike out the words "and the tax" in lines 5 and 6 on page 2 of the printed bill.

(2) In line 15 of section 3185 on page 3 of the printed bill just after the word "thereof" insert the words, "and he will deliver the receipted bill, countersigned by the Auditor, to the taxpayer."

(3) Strike out the words "land" and "property" wherever they occur in lines 10, 12, 26, 30 and 31 of section 3187 on pages 5 and 6 of the printed bill and insert in lieu thereof in each place, the words "real estate."

(4) Strike out the words "one year" in line 31 of section 3187c on page 10 of the printed bill and insert the words "two years" in lieu thereof.

(5) Strike out the word "fiduciary" in line 17, section 3187f on page 12 of the printed bill and insert the word "beneficiary" in lieu thereof.

(6) In line 10 of section 3189a on page 19 of the printed bill just after the words "city clerk" insert the words "city solicitor."

Each and all of said amendments were adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	James S. Cruse	W. F. Klair
Chas. Ashby	A. A. Demunbrun	H. A. Knollmann
B. S. Bailey	H. L. Dixon	S. D. Laughlin
L. D. Baldauf	W. G. Dycus	Joseph Lazarus
A. L. Baldwin	I. H. Gabbard	M. E. Lee
B. C. Beckmann	Lark Garnett	J. E. Lilly
H. V. Bell	W. H. Hager	Harry J. Meyers
W. P. Bowman	A. L. Hamilton	Clarence Miller
J. L. Bradford	B. H. Harris	John T. Murphy
R. J. Cain	Joe Huddleston	Ryland C. Musick
T. L. Caudel	A. R. Hudson	A. J. McCandless
John Cook	J. W. Johnson	W. P. McDonogh
A. S. Cooper	W. H. Jones	H. C. McLellen
W. P. Cropper	Griffin Kelly	W. B. O'Bannon

A. J. Oliver	Joe Schneider	F. C. VanHoose
W. F. Paris	Claude B. Smith	G. Frank Walthal
Lilburn Phelps	R. T. Smith	T. R. Welch
Luther Pieratt	Thomas Spurrier	W. N. Winn
Richard Radcliffe	Ben Street	E. G. Young
H. C. Rice	John B. Thomas	
Avery Sartin	J. Wood Vance	—61

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 257. An act to amend section 1073 of the Kentucky Statutes, 1915 edition, prepared by the Hon. J. D. Carroll, providing for the salary of county judges and the installments in which the same shall be paid.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 1072 of the Kentucky Statutes, 1915 edition, prepared by the Honorable John D. Carroll, be, and the same is, amended by striking from the third line thereof, the word "quarterly" and substituting in lieu thereof the word "monthly;" so that said section as amended will read as follows:

"Section 1072. Salary to be Fixed by Fiscal Court.—The county judge shall receive an annual salary, to be fixed at a reasonable amount by the fiscal court, and paid in monthly installments by the county."

Mr. Hager offered the following amendment to said bill, viz.:

Amend House Bill No. 257 by inserting the words "and county attorney" after the words "county judge" in line two of original bill.

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	W. H. Hager	Harry J. Meyers
B. S. Bailey	J. S. Hall	Clarence Miller
L. D. Baldauf	A. L. Hamilton	John T. Murphy
A. L. Baldwin	L. B. Hamilton	A. J. McCandless
W. T. Beckham	B. H. Harris	W. P. McDonogh
B. C. Beckmann	David J. Howard	H. C. McGehee
J. L. Bradford	Joe Huddleston	H. C. McLellen
R. J. Cain	Chas. L. Hunter	W. B. O'Bannon
T. L. Caudel	J. W. Johnson	A. J. Oliver
John Cook	Leslie P. Jones	W. F. Paris
Fred Cornelius	W. H. Jones	Ote Piper
James S. Cruse	Griffin Kelly	Avery Sartin
A. A. Demunbrun	W. F. Klair	Joe Schneider
H. L. Dixon	H. A. Knollmann	Claude B. Smith
W. G. Dycus	S. D. Laughlin	R. T. Smith
I. H. Gabbard	Joseph Lazarus	T. J. Smith
Lark Garnett	J. E. Lilly	Thomas Spurrier

Ben Street	J. Wood Vance	T. R. Welch	
John W. Swope	F. C. VanHoose	W. N. Winn	
J. T. Thornton	G. C. Waggoner	E. G. Young	
S. G. Thornberry	G. Frank Walthal		—62

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 391. An act to amend and re-enact sections 1456, 1457, 1459, 1462 and 1465, Kentucky Statutes, Carroll's edition 1915, relating to elections, subhead how conducted, and subsections 7, 13, 14 and 15 of section 1550 of said Statutes, relating to elections, subhead primary elections, declaring who is an absent voter, permitting him to register, and to vote in general primaries and general elections, providing a method therefor, and fixing penalties for a violation thereof.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 1456 of the Kentucky Statutes (Carroll's edition 1915), be amended by striking therefrom (a) the word "sixty" wherever it appears therein and inserting in lieu thereof the word "seventy-five." (b) The word "thirty" and inserting in lieu thereof the words "forty-five," and (c) The word "fifteen" and inserting in lieu thereof the word "forty-five," so that when said section is so amended it shall read as follows, viz.:

"Sec. 1456. Certificates and Petitions to be Filed Before Election—Certificates and petitions of nomination filed with the Secretary of State shall be filed not more than seventy-five days, and not less than forty-five days, before the day fixed by law for the election of the person in nomination. Certificates and petitions of nomination herein directed to be filed with the clerk of a county shall be filed not more than seventy-five and not less than forty-five days before election."

§ 2. That section 1457 of said Statutes be amended by striking therefrom the word "twenty" and inserting in lieu thereof the word "forty," so that when said section is so amended, it shall read as follows, viz.:

"Sec. 1457. Secretary of State to Certify to County Clerks Names of Candidates—Vacancy in General Assembly. —Not less than forty days before the election of such officers as are required to file their certificate of nomination with the Secretary of State said Secretary of State shall certify to the respective county court clerks of the various counties which are entitled under the law to participate in the election of the respective candidates, the name and place of residence of each candidate for each respective office, as specified in the certificates and petitions of nomination filed with him, and shall designate therein, subject to the provisions of this act, the device under which the group or list of candidates, or candidate, of each party shall be printed, in the order in which they shall be arranged on the ballot: Provided, however, should a vacancy occur in the General Assembly and a writ of election issued to fill said vacancy, the petition or certificate of nomination may be filed ten days before the day of election, and if filed with the Secretary of State shall be immediately certified to the proper county court clerks. No writ for the election of a member of the General Assembly shall be issued, except so as to enable the sheriff to give notice thereof, as now provided by law, at least fifteen days before the day of election."

§ 3. That section 1459 of said Statutes be amended by striking therefrom the word "twenty" and inserting in lieu thereof the word "forty," so that when said section is so amended it shall read as follows:

"Sec. 1459. Public Measures—Constitutional Amendment—How Voted for.—Whenever a constitutional amendment or other public measure is proposed to be voted upon by the people, the substance of such amendment or other public measure shall be clearly indicated upon the ballot, and two spaces shall be left upon the right of the same, one for votes favoring the amendment, or public measure, to be designated by the word "Yes," and one for votes opposing the amendment or measure, to be designated by the word "No." The elector shall designate his vote by a cross mark thus (X), placed opposite the word "Yes," or the word "No." (Whenever an amendment to the Constitution has been adopted by the General Assembly, the Secretary of State shall cause such proposed amendment to be published at least four times in two papers of general circulation, published in the State, and shall also cause to be published at the same time and in the same manner the fact that said constitutional amendment will be submitted to the voters for their acceptance or their rejection at the next general election at which members of the General Assembly are to voted for. Such publications shall be made so that the last publications shall be at least ninety days preceding the election at which said amendment is to be voted on, as provided in sections 256 and 257 of the Constitution. It shall be the duty of the Secretary of State to certify not less than forty days before the next general election at which members of the General Assembly are to be chosen, to the county clerk of each county, the substance of any constitutional amendment which is to be voted on, and it shall be the duty of each county clerk to have the substance of such amendment, as certified by the Secretary of State, indicated on the ballot, as provided in this section. The votes cast for and against such constitutional amend-

ments shall be counted and canvassed and certified to the State Canvassing Board in the same manner as the votes cast for any officer elective by the votes of the whole State. If it shall be found that a majority of the votes cast for and against said amendment are in favor thereof, then said amendment shall become a part of the Constitution. The result of such vote shall be published by the Secretary of State in two daily newspapers of general circulation, published in this Commonwealth. The expenses of the publications herein provided for shall be paid as are the expenses of other publications which the Secretary of State is required to make in connection with elections)."

§ 4. That Section 1462 of said statutes be amended by striking therefrom: (a) The word "thirty" and inserting in lieu thereof the word "forty-five," and (b) The word "ten" and inserting in lieu thereof the word "five," so that when said section is so amended, it shall read as follows, viz.:

"Sec. 1462. Ballots, How Printed—Duties of Secretary of State and County Clerks—Penalties.—All ballots shall be printed on plain white paper, sufficiently thick that the printing can not be distinguished from the back, which paper shall be of number one white book paper, and when 26 by 40 inches shall weigh 80 pounds to the ream, or if double cap 40 pounds to the ream; and, except in elections for municipal office, shall be furnished to the county court clerk by the Secretary of State, and it shall be the duty of the county clerk to notify the Secretary of State forty-five days before the day of election of the size and the number of ballots which shall be necessary for said county, estimating fifty per cent. more to the precinct than there were ballots cast at the last preceding State election, and the Secretary of State shall furnish the paper as herein provided within five days after said notification by the county court clerk. If upon any ticket there be no candidate or candidates for a designated office a blank space equal to the space that would be occupied by such name or names, if they were printed thereon, with the blank spaces herein provided for, shall be left. Should the Secretary of State fail

or refuse to so furnish said paper for the ballots he shall be guilty of a misdemeanor, and upon trial and conviction by indictment in the Franklin Circuit Court be fined not less than one thousand ($1,000) dollars and not more than five thousand ($5,000) dollars, in the discretion of the jury: Provided, that in the year 1900 the notice herein provided for to be given to the Secretary of State by the county court clerk, shall not be given, but immediately after the passage of this act and at least fifteen (15) days before the day of the next ensuing election the Secretary of State shall furnish to the various county court clerks the paper upon which the ballots shall be printed, which shall be of the quality as herein provided, and each county shall be furnished fifty per cent. more ballots than were cast in the respective counties at the last preceding State election. Provided, however, that the clerks of the various counties of the State shall furnish the paper of the kind and weight as herein provided for the ballots, in the year nineteen hundred if the Secretary of State does not furnish same twelve (12) days before the day of the next ensuing election. Said clerk shall be subject to the same penalties prescribed for failure to print on paper furnished by the Secretary of State, if he fails to have ballots printed on the kind and quality of paper as set out herein."

§ 5. That Section 146 of said statutes be amended by inserting after the word "distribution" and before the words "one book," the words "at least thirty days before any regular primary or regular election and at least two days before any other election," so that when said section is so amended it shall read as follows, viz.:

"Sec. 1465. Ballots, Stubs and Other Utensils to be Furnished by Clerk.—It shall be the duty of the county court clerk to cause to be printed, bound and ready for distribution at least thirty days before any regular primary or regular election and at least two days before any other election, one book of stubs and ballots for each voting precinct in his county, and shall furnish fifty per cent. more ballots for each precinct than there were votes cast in said precinct at the last State or Na-

tional election. He shall also have made for each voting precinct in the county one metal stamp at least one inch in diameter, which shall be known as the county election seal. It shall have upon it the word 'election' straight across the center; the name of his county around the circle inside the rim above the word 'election,' and the name of the precinct for which it is made around the circle inside the rim below the word 'election,' together with one stick of best sealing wax, such as is used by the United States Government and by express companies for sealing packages containing money. He shall also have made for each precinct in his county one adjustable linen envelope sufficiently large to hold all the ballots that may be voted at such precinct, with a gummed seal on the back thereof, and a place on the point of the seal for the county election seal. He shall also have made one linen envelope for the purpose of holding the tally sheet, with a gummed seal on the back thereof, and a place on the point of the seal for the county election seal. He shall also have made one adjustable linen envelope sufficiently large to hold all the ballots of which there is any doubt or difference of opinion in the minds of the judges concerning their legality or regularity. He shall deliver said ballot book and ballots together with the election seal for the different precincts and the two large and one small linen envelopes for holding the ballots and tally sheet, and all necessary black ink stencils, sample ballots and cards of instruction as herein provided, to the clerks of such precincts and take their receipts for the same. One of such ink stencils shall be safely placed in the booth, the other preserved by the clerk, to be used in case any are lost, stolen or destroyed. Should any person steal or willfully destroy either of said stencils, or any of the election supplies required to be furnished herewith, he shall, upon conviction, be fined not less than fifty dollars nor more than two hundred dollars, and be confined in the county jail not less than one nor more than six months."

§ 6. That Subsection 7 of Section 1550 of said statutes be amended by striking therefrom (a) the word "thirty" and

inserting in lieu thereof the words "forty-five," and the word "forty" and inserting in lieu thereof the words "forty-five," so that when said subsection is so amended, it shall read as follows, viz.:

"7. Nomination Papers—Time and Place of Filing.—For all offices to be voted for by the electors of one county or of a city, district or subdivision thereof, except members of Congress, said nomination papers shall be filed with the county clerk of such county, at least forty-five days prior to the holding of the primary election. For State officers, members of Congress, and for all officers to be voted for by the electors of more than one county, said nomination paper shall be filed with the Secretary of State, at least forty-five days before the holding of the primary election."

§ 7. That Subsection 13 of Section 1550 of said statutes be amended by striking therefrom the word "thirty" and inserting in lieu thereof the word "forty," so that when said subsection is so amended it shall read as follows, viz.:

"13. Certification of Candidates by Secretary of State.—Not less than forty days before the primary election is to be held, the Secretary of State shall certify to the county clerks of the respective counties entitled under the laws to participate in the nomination of the respective candidates, the name, place of residence, and party of each candidate for each office, as specified in the nominating petitions filed with him, and shall designate, subject to the provisions of this act, the device under which the groups or lists of candidates, or candidate, of each party shall be printed, in the order in which they shall appear on the ballot."

§ 8. That Subsection 14 of Section 1550 of said statutes be amended by striking therefrom the words and figures "thirty-eight (38)" and inserting in lieu thereof the words "forty-four," so that when said subsection is so amended it shall read as follows:

"14. Order of Names of Candidates on Ballots.—How Determined.—For the purpose of determining the order in which the names of candidates to be voted for by the electors

of the entire State shall be certified and printed on the ballots under the designation of the respective offices, the Secretary of State shall prepare lists of the counties of each Congressional District of the State. He shall then arrange the surname of all candidates for each office in alphabetical order for the first Congressional District and the names shall be certified in this order to the county clerks of all the counties comprising said Congressional District. Thereafter for each succeeding Congressional District taken in the order of their numbers the name appearing first for each office in the last preceding district shall be placed last and the name appearing second in the last preceding district shall be placed first and each other name be moved up one place. The lists shall be certified accordingly.

"For all other offices for which nominating papers are filed with the Secretary of State, the order of names of candidates for each office shall be determined by lot at a public drawing to be held in the office of the Secretary of State forty-four days before the primary election at two oclock p. m., standard time."

§ 9. That subsection 15 of section 1550 of said statutes be amended by striking therefrom: (a) The word "twenty" and inserting in lieu thereof the word "thirty," and (b) the words "twenty-five" and inserting in lieu thereof the words "thirty-eight," so that when said subsection is so amended it shall read as follows, viz.:

"15. Publication of Names by County Clerk—Order of Printing.—Not less than thirty days before the primary election the county clerk of each county shall publish under the proper party designation and title of each office the names of all persons certified to him by the Secretary of State, in the same order in which they were certified, and of all persons for whom nomination papers have been filed with such county clerk. Only the names of persons who have substantially complied with provisions of this act shall be published or printed on the ballot, and such names shall be published

or printed in the order in which they are to be printed on the ballots. Said publication shall be done by posting a notice at the door of the court house and causing said list to be printed once in a newspaper of general circulation in such county, if there be such a newspaper.

"The order in which the names of candidates for each office for whom nomination papers have been filed in the office of the county clerk, shall be printed on the primary election ballot, shall be determined at a public drawing in the office of the county clerk thirty-eight days before such primary election at 2 o'clock p. m., standard time."

§ 10. Absent Voter—Defined.—For the purpose of this act the term "Absent Voter" shall mean any qualified elector or voter who is unavoidably, or who is required by his regular business or occupation or his habitual duties, to be and is absent from the county in which is situate his voting precinct or ward on any general primary or general election day. Provided, that if such elector or voter comes within the purview of section 1486, Kentucky Statutes (Carroll's Edition 1915), he shall have registered pursuant to the registration laws of this State now in force, or in accord with the provisions of this act.

§ 11. Registration—"Absent Voter."—Any elector or voter who is required by section 1486, Kentucky Statutes (Carroll's Edition 1915), to register, and who is unavoidably or who is required by his regular business or occupation or his habitual duties to be and is absent from the county in which is situate his registering precinct or ward on any general or special registration day, may at any time not less than ten days before any general primary or general election day register his name with the clerk of the county of his residence; who shall issue him a certificate permitting him to vote in the manner hereinafter provided in any general primary or general election held in this State prior to the next general registration day.

The elector or voter shall make a written application for such certificate to the clerk of the county of his residence. Such written application shall show the name, age, residence and voting precinct or ward of the applicant and that he is qualified to vote in such precinct or ward in all general primary or general elections that may be legally held therein, the name of the political party with which he affiliates, and that he was unavoidably or that his regular business or occupation or his habitual duties required him to be absent from his registration precinct or ward on the last general or special registration held in his said precinct or ward. Said application shall be signed by the applicant and sworn to by him before a civil officer authorized by law to administer an oath, provided that if such elector or voter is in the military or naval service of the Commonwealth of Kentucky or the United States, he may swear to said application before any commissioned military or naval officer of the Commonwealth of Kentucky or the United States who is his superior.

The secretary of the state of Kentucky shall prepare, and within twenty days after this law goes into effect and thereafter upon demand and requisition made by the clerks of the counties of this state, deliver to them a book of registration certificates, prepared in accord with this section, and which shall be duplicated on a stub attached thereto; and the county court clerk, when he makes out a registration certificate for an elector or voter, shall duplicate it on such stub, and the stub book showing that said elector or voter has registered, shall in all cases be taken as a full, complete and sufficient registration for the purpose of voting under the provisions of this act, provided, however, that the right of such elector or voter to register may be inquired into under, and proceedings had thereon, and his right to register decided in pursuance of section 1501, Kentucky Statutes (Carroll's edition, 1915). And the clerk shall, before the registration books are delivered to the precinct or ward election officers of any general primary or general election, enter on the registration

books of the respective precincts or wards of such electors or voters, the names of such electors or voters to whom he has given such certificates, following each name with the words "absent voter."

The registration applications herein provided for shall be preserved by the clerk until the next general registration day, when they shall be burned by him in the presence of the judge and sheriff of his county.

§ 12. Right to Vote.—A qualified elector or voter who is required by section 1486, Kentucky Statutes (Carroll's edition, 1915), to register, and who has registered pursuant to the provisions of section 11 of this act, and who is in the county wherein is situated his voting precinct or ward, on a general primary or general election day, may vote in such primary or election by casting his vote in person and not otherwise. But an "absent voter" is hereby vested with the power to exercise the right of suffrage and vote in all general primary or general elections held in his precinct or ward, provided he complies substantially with the provisions of this act.

§ 13. Application for Ballot.—An "absent voter" who desires to vote in any general primary or general election held in his residence precinct or ward, shall make, not more than sixty nor less than ten days before the day on which such general primary or general election is held, a written application to the clerk of the county of his residence, for an official ballot prepared for and to be voted at such general primary or general election. Such application shall give the address to which the ballot is to be mailed, and shall be accompanied by the postage necessary to be used in forwarding the ballot to the "absent voter" at such address.

The application shall be signed and sworn to by the "absent voter" before a civil officer authorized by law to administer an oath, provided that if such "absent voter" is in the military or naval service of the Commonwealth of Kentucky or the UnitedStates, he may swear to said application before any commissioned military or naval officer of the Common-

wealth of Kentucky or the United States, who is his superior. Said application shall be substantially in the following form:

State of .....

Sct.

County of .....

"I, ..., state that I am a resident of the state of Kentucky and have been such for at least one year prior to the date hereof. I am a resident of ..... county and have been such for more than six months prior to said date, and am a resident of ..... precinct of said county (or..... ward of the city of....., county of.....) at least sixty days prior to said date; that I am a duly qualified voter of said precinct (or said ward); that I will be unavoidably, or my regular business or occupation or my habitual duties will require me to be, absent from said precinct or ward on the general primary or election to be held in said precinct or ward on the.....day of....., 19....., and I will not vote elsewhere at said primary or election.

"I enclose hrerewith blank for return postage and call for an official ballot to be mailed to me at the following address:

.....

"Subscribed and sworn to before me this..... day of ....., 19.....

....."

(Official Title.)

§ 14. Ballot—When and How Forwarded.—The clerk of the county to whom such application is made shall, when he receives such application from an "absent voter" and after the official ballot has been completed and is printed, commence with ballot No. 1 of the respective residence precincts or wards of such "absent voters" and continue consecutively as to numbers until the names of all of such "absent voters" have

been used, write the names and addresses of such "absent voters" on the stubs of such ballots and across such stubs the words "absent voter," at once send by registered mail, postage prepaid, to the address given by the "absent voter," the official ballot to be used for voting at the next general primary or general election held after the receipt of such application, which shall correspond in number with the stub on which such "absent voter's" name is written, together with two official envelopes for returning the ballot by the "absent voter" to him.

One of said envelopes shall be marked No. 1, and have written across it, "absent voter's ballot," and shall bear the address and official title of the clerk sending the same to the "absent voter," and which envelope shall be used by the "absent voter" as the outer envelope, and as in section 15 hereof directed. The other envelope shall be marked No. 2 and on the face thereof the "absent voter" shall make and sign an affidavit, which shall be substantially in the following form, viz.:

State of .....

Set.

County of .....

I, ..., state that I am a resident of the state of Kentucky and have been such for at least one year prior to the date hereof. I am a resident of ..... county and have been such for more than six months prior to said date, and am a resident of .....precinct of said county (or..... ward of the city of....., county of .....) at least sixty days prior to said date; that I am a duly qualified voter of said precinct (or said ward); that I will be unavoidably, or my regular business or occupation or my habitual duties will require me to be, absent from said precinct or ward on the general primary or election to be held in said precinct or ward on the

.....day of....., 19....., and I will not vote elsewhere at said primary or election.

.....

Subscribed and sworn to before me this.....day of .....19.....

.....

(Official Title.)

The fiscal courts of the counties of which the "absent voters" are residents shall make provision to pay from the county funds the expenses incurred for stationery and printing necessary to carry into effect the provisions of this section.

§ 15. Preparation of Ballot by "Absent Voter."—When the "absent voter" receives such ballot and said two envelopes, he shall go before some civil officer authorized by law to administer an oath and before him make and subscribe to the affidavit on the face of envelope No. 2, and shall, in the presence of such officer and no one else, mark the ballot so as to indicate the way he desires to vote, but in such manner as to prevent the officer from knowing how the ballot is marked or how he has voted; he shall then, and while in the presence of the officer, fold the ballot in such way as to conceal the markings made thereon by him, and after the ballot has been so folded, he will enclose it in envelope No. 2, and seal said envelope and then enclose it in envelope No. 1, then seal and write his name across the face of that envelope, and at once affix the necessary postage thereto and mail it; provided that if such "absent voter" is in the military or naval service of the Commonwealth of Kentucky or the United States, he may do the things herein required to be done instead of before a civil officer, before any commissioned military or naval officer of the Commonwealth of Kentucky or the United States who is his superior.

§ 16. Ballots—Custody—Delivery to Election Officers.—When the county clerk receives an "absent voter's" ballot,

he shall at once endorse on the envelopes Nos. 1 and 2, the day and hour he received the same, and all such ballots received by him before the day on which a general primary or a general election is held at which said ballot is to be voted, shall be transmitted by him with envelope No. 2 unopened to the general primary or general election officers of the precinct or ward in which said "absent voter" is an elector at the same time the poll books and ballots for such primary or election are delivered to them, and all such ballots received by him on or after such general primary or general election day shall be kept by him unopened until thirty days after such primary or election, when the same shall, without being opened, be burned by the clerk in the presence of the judge and sheriff of his county.

§ 17. Ballots—When and How Voted.—The election officers of any general primary or general election shall, while the polls are open, examine such "absent voters' " ballots as have been delivered to them. If, upon such examination, it is found that envelopes Nos. 1 and 2 are regular and in the form and condition provided by this act, and that envelope No. 2 has not been opened but is properly sealed and the affidavit on the face thereof is regular and in the form provided by this act, the clerk of such primary or election shall read aloud the name of such "absent voter" and after so doing, he shall then open envelope No. 2 and remove the ballot therefrom without unfolding it, and in such way as not to expose the markings thereon or how the "absent voter" has voted. He will then write his name on the back thereof and after so doing place said ballot in the regular ballot box, and shall write on the ballot stub on which the name of such "absent voter" has been written by the clerk, the word "voted." The two envelopes shall be preserved by the election officers and treated in the same way as cast ballots, provided that when the name of the "absent voter" is read aloud by the clerk the vote of such "absent voter" may be challenged and the challenge thereto may be determined and the vote accepted or

rejected by the officers of the election as though the voter were present and voting in person. Provided, however, that if such envelopes Nos. 1 and 2 and the affidavit on the face of envelope No. 2 are regular, and substantially comply with the provisions of this act, they shall be considered as showing that the "absent voter" is *prima facie* entitled to vote, provided that if the vote of an "absent voter" is rejected, the clerk shall write on the ballot stub on which the name of such "absent voter" has been written by the county clerk, the word "rejected."

§ 18. Election Returns.—The officers of a general primary or general election shall, in their election returns, state the number of ballots shown by the stubs to have been sent by the county clerk to the "absent voters," the number of such ballots voted and the number thereof rejected.

§ 19. Commissioned Officers Empowered to Administer Oaths and Affirmation.—All commissioned military or naval officers of the Commonwealth of Kentucky or the United States are hereby authorized and empowered to administer oaths and affirmations for the purposes specified in this act; and to every such oath or affirmation administered by them, they shall subscribe their names and attach their official designations.

§ 20. False Registration Application—Affidavit—Penalty.—Any person who wilfully and knowingly makes a false application for the purpose of registering under the provisions of this act, or a false affidavit for the purpose of voting under the provisions thereof, when the same is either sworn to or affirmed by him, shall be guilty of a felony, and upon conviction, shall be confined in the penitentiary not less than one nor more than five years.

§ 21. Failure to Comply With Official Duties—Penalty.—Any county clerk or any election officer who shall wilfully refuse or neglect to perform and do any of the duties required of him by this act, or who shall in any manner wilfully violate or abuse any trust or duty imposed on him by this act, shall

be guilty of a misdemeanor, and upon conviction, shall be fined not less than one hundred dollars nor more than one thousand dollars.

§ 22. Unlawful Interference With Right of Voter—Penalty.—Any person who shall, by menace, bribery, corrupt or arbitrary measure, offer or payment of reward, threat or infliction of punishment, interfere with any qualified voter or elector, in the free exercise of his right to register or vote under the provisions of this act, shall be guilty of a misdemeanor and upon conviction be fined not less than one hundred dollars nor more than one thousand dollars.

§ 23. Jurisdiction—Prosecution.—Jurisdiction of any prosecution for a violation of any provision of this act, wherever the violation occurred, whether within or without this state, is hereby vested in the circuit court of the county to the clerk of which the application for registration or for a ballot was made.

§ 24. Inconsistent and Conflicting Laws—Repeal.—All laws or parts of laws inconsistent or in conflict with the provisions of this act, are hereby, to the extent of such inconsistency or conflict, repealed.

Mr. Klair moved that said bill be recommitted.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 204. An act making it unlawful for any parent or guardian within this Commonwealth to refuse to give in the name of any child within school age to the trustee of any school district.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1. That it shall be unlawful for any parent or guardian to refuse to give the name and age of any child, for the purpose of listing said child in the common school census, to the trustee of any school district or division.

§ 2. Any person violating the provisions in section 1 of this act shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than ten ($10.00) dollaws nor more than fifty ($50.00) dollars, in the discretion of the court or jury.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	H. L. Dixon	Leslie P. Jones
Chas. Ashby	W. G. Dycus	W. H. Jones
L. D. Baldauf	F. A. Easterling	Griffin Kelly
W. T. Beckham	J. M. Elliston	W. F. Klair
B. C. Beckmann	I. H. Gabbard	H. A. Knollmann
H. V. Bell	Lark Garnett	W. T. Lasley
J. L. Bradford	J. S. Hall	S. D. Laughlin
R. J. Cain	W. H. Hager	Joseph Lazarus
T. L. Caudel	L. B. Hamilton	M. E. Lee
John Cook	David J. Howard	H. J. Meyers
A. S. Cooper	Joe Huddleston	Ryland C. Musick
W. P. Cropper	A. R. Hudson	A. J. McCandless
James S. Cruse	Chas. L. Hunter	W. P. McDonogh
A. A. Demunbrun	J. W. Johnson	H. C. McLellen

W. B. O'Bannon	Avery Sartin	Geo. F. Thompson
A. J. Oliver	Joe Schneider	J. T. Thornton
T. P. Oliver	R. T. Smith	S. G. Thornberry
W. F. Paris	T. J. Smith	J. Wood Vance
Lilburn Phelps	Thomas Spurrier	F. C. VanHoose
Luther Pieratt	Ben Street	G. Frank Walthal
Ote Piper	John W. Swope	T. R. Welch
H. C. Rice	Claude M. Thomas	E. G. Young

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Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Klair moved that when this afternoon session adjourns it be to meet again tonight at seven o'clock p. m.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 494. An act to repeal chapter 143, of the Acts of the General Assembly of 1906, entitled an act to regulate burial associations, corporations and companies doing business in the state of Kentucky, which became a law March 24, 1906, and chapter 73 of the Acts of the General Assembly of 1908, amending the above said act, which became a law March 27th, 1908.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That chapter 143 of the Acts of the General Assembly of 1906, entitled "an act to regulate burial associations, corporations and companies doing business in the State of Ken-

tucky," which became an act March 24, 1906, and chapter 72 of the Acts of the General Assembly of 1908, amending the above said act and which became a law March 27, 1908, be, and the same are, hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. D. Baldauf	I. H. Gabbard	W. F. Paris
A. L. Baldwin	J. S. Hall	Luther Pieratt
W. T. Beckham	A. L. Hamilton	Ote Piper
B. C. Beckmann	L. B. Hamilton	Joe Schneider
H. V. Bell	David J. Howard	Thomas Spurrier
W. P. Bowman	A. R. Hudson	Ben Street
O. V. Brown	Leslie P. Jones	Claude M. Thomas
R. J. Cain	W. T. Lasley	Elmore Thomas
T. L. Caudel	M. E. Lee	John B. Thomas
John Cook	J. E. Lilly	S. G. Thornberry
A. S. Cooper	Ryland C. Musick	J. Wood Vance
W. P. Cropper	A. J. McCandless	F. C. VanHoose
James S. Cruse	W. P. McDonogh	Geo. C. Waggoner
A. A. Demunbrun	H. C. McLellen	E. G. Young
W. G. Dycus	W. B. O'Bannon	
J. M. Elliston	A. J. Oliver	—46

Those who voted in the negative were—

Chas. Ashby	Fred Cornelius	Joe Huddleston
B. S. Bailey	Lark Garnett	J. W. Johnson
J. L. Bradford	W. H. Hager	Griffin Kelly

W. F. Klair	Lilburn Phelps	John W. Swope
H. A. Knollman	H. C. Rice	G. F. Thompson
S. D. Laughlin	Lewis Ryans	J. T. Thornton
Joseph Lazarus	Avery Sartin	G. Frank Walthal
H. J. Meyers	Claude B. Smith	W. N. Winn
Clarence Miller	R. T. Smith	
H. C. McGehee	T. J. Smith	—28

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 369. An act entitled an act to promote the public health by providing for compulsory medical examination and treatment of certain classes of persons convicted in cities of the first class of offenses involving certain immoral conduct.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in all cities of the first class in this Commonwealth, where a female shall be convicted of disorderly conduct, vagrancy, breach of the peace or other offense when the facts show that its commission was accompanied with lewd and lascivious behavior or kindred immoral conduct, the court may, in lieu of or in addition to other punishments now prescribed for said offenses, adjudge the offender to be confined in the county jail for an indeterminate period, and that upon said judgment being pronounced she shall be incarcerated in said jail, and immediately examined by the physician there-

of, assisted as may be necessary, by the staff of the city hospital of said city; and if she be found suffering from any infectious or contagious malady, venereal or other, she shall be immediately treated by said medical officers for same, and said treatment be continued until she be cured thereof, or until in the judgment of said medical officers further treatment could not affect an amelioration of her condition, or until said malady or maladies be rendered non-communicable. Said medical officers shall immediately report to said court the result of their examination, and continue to report upon the case each month while the same is under their care as aforesaid. Where practicable in the judgment of said physicians, said cases may be transferred to the city hospital for treatment. When said medical treatment shall have been completed as aforesaid the court shall discharge said offender unless she be held for some other offense or there be some judgment or punishment to which she may be subject still unsatisfied.

§ 2. All acts or parts of acts in conflict with any of the provisions hereof are hereby repealed.

§ 3. An emergency is hereby declared to exist, and this act shall take effect immediately from and after its passage.

The Committee on Public Health offered the following amendment to said bill by way of substitute therefor, viz.:

An act entitled an act to promote the public health, by providing for compulsory medical examination and treatment of certain classes of persons convicted in this Commonwealth of offenses involving certain immoral conduct.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. When a person in this Commonwealth shall be convicted of disorderly conduct, vagrancy, breach of the peace or other offense when the facts show that its commission was

accompanied with lewd and lascivious behavior or kindred immoral conduct, the court may, in lieu of or in addition to other punishments now prescribed for such offenses, adjudge the offender to be confined in the county jail for an indeterminate period of not exceeding the punishment prescribed for such offenses, and that upon said judgment being pronounced said offender shall be incarcerated in said jail, and immediately examined by the physician thereof, assisted as may be necessary, by the staff of the city or county hospital, if there be such hospital, and if said offender be found suffering from any infectious or contagious malady of venereal nature, he or she shall be immediately treated by said medical officers for same, and said treatment be continued until he or she be cured thereof, or until in the judgment of said medical officers further treatment could not affect an amelioration of his or her condition, or until said malady or maladies be rendered non-communicable. Said medical officers shall immediately report to said court the result of their examination, and continue to report upon the case each month while the same is under their care as aforesaid. Where practicable in the judgment of said physicians, said cases may be transferred to a hospital for treatment. When said medical treatment shall have been completed as aforesaid the court shall discharge said offender unless he or she be held for some other offense or there be some judgment or punishment to which he or she may be subject still unsatisfied.

§ 2. All acts or parts of acts in conflict with any of the provisions hereof are hereby repealed.

§ 3. An emergency is hereby declared to exist, and this act shall take effect immediately from and after its passage.

Mr. McLellen offered the following amendment to said substitute, viz.:

Amend substitute for H. B. 369 by striking from line 5 the words "punishment prescribed for such offense" and substitute therefor the words "six months."

Said amendment to said substitute was adopted.

Said substitute as amended was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, by way of substitute therefor, was passed.

The yeas and nays being taken on the pasage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. D. Baldauf	A. R. Hudson	Ote Piper
W. T. Beckham	Leslie P. Jones	Richard Radcliffe
H. V. Bell	Griffin Kelly	Avery Sartin
J. L. Bradford	H. A. Knollmann	Joe Schneider
R. J. Cain	S. D. Laughlin	T. J. Smith
Fred Cornelius	Joseph Lazarus	Thomas Spurrier
James S. Cruse	Clarence Miller	John W. Swope
A. A. Demunbrun	J. T. Murphy	Claude M. Thomas
H. Lawrence Dixon	A. J. McCandless	J. T. Thornton
J. S. Hall	H. C. McLellen	S. G. Thornberry
L. B. Hamilton	A. J. Oliver	J. Wood Vance
E. C. Hardin	T. P. Oliver	F. C. VanHoose
David J. Howard	Lilburn Phelps	Geo. C. Waggoner
Joe Huddleston	Luther Pieratt	G. F. Walthal

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Those who voted in the negative were—

A. L. Baldwin	A. S. Cooper	B. H. Harris
B. C. Beckmann	W. P. Cropper	Chas. L. Hunter
W. P. Bowman	J. M. Elliston	J. W. Johnson
O. V. Brown	I. H. Gabbard	W. F. Klair
H. C. Chappell	W. H. Hager	W. T. Lasley

J. E. Lilly	H. C. Rice	W. F. Trusty
W. P. McDonogh	Claude B. Smith	W. N. Winn
W. B. O'Bannon	Ben Street	E. G. Young
W. F. Paris	John B. Thomas	—26

Resolved, that the title thereof be as amended.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Klair moved that this House do now adjourn.

Said motion was agreed to.

NIGHT SESSION.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz.:

Chas. Ashby	I. H. Gabbard	A. J. McCandless
B. S. Bailey	W. H. Hager	W. P. McDonogh
L. D. Baldauf	A. L. Hamilton	H. C. McGehee
W. T. Beckham	L. B. Hamilton	W. B. O'Bannon
B. C. Beckmann	E. C. Hardin	A. J. Oliver
H. V. Bell	B. H. Harris	T. P. Oliver
Leroy Bonta	A. R. Hudson	W. F. Paris
J. L. Bradford	Chas. L. Hunter	Luther Pieratt
O. V. Brown	J. W. Johnson	Ote Piper
R. J. Cain	Leslie P. Jones	Avery Sartin
T. L. Caudel	Griffin Kelly	Joe Schneider
John Cook	W. F. Klair	Claude B. Smith
A. S. Cooper	H. A. Knollman	R. T. Smith
Fred Cornelius	S. D. Laughlin	T. J. Smith
James S. Cruse	Joseph Lazarus	Thomas Spurrier
A. A. Demunbrun	M. E. Lee	Ben Street
H. L. Dixon	J. E. Lilly	John W. Swope
J. M. Elliston	J. T. Murphy	Claude M. Thomas

J. T. Thornton	J. Wood Vance	G. F. Walthal
S. G. Thornberry	F. C. VanHoose	T. R. Welch
W. F. Trusty	G. C. Waggoner	E. G. Young

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A message was received from the Senate announcing that they had adopted a resolution and passed bills originating in that body of the following titles, viz.:

S. Res. 26. Joint resolution for the benefit of W. O. Davis, Elwood Hamilton, L. B. Owings, W. A. Frost, W. B. Moody, Hite Huffaker, Selden R. Glenn, H. M. Brock, A. J. Oliver, George Picket, Reuben Hutchcraft, Jr., and T. T. Gardner.

To the Committee on Rules.

S. B. 97. An act to amend and re-enact section 1155 of Carroll's Statutes, 1915 edition.

To the Committee on Rules.

S. B. 132. An act amending sections 2, 51, 207, 121 and 212 of chapter 24, acts of 1916, and subsection 31 of section 2978a, and subsection 34 of section 3235a, a dnsection 3470, 3588 and 3596, Kentucky Statutes 1915, Carroll's edition, changing the age limit for school census enumeration, and amending section 46, chapter 24 of the acts of 1916, relative to the qualifications of county superintendents, and repealing section 50, chapter 24, acts of 1916, fixing the salary of county superintendents, by repealing and amending and re-enacting same, and amending section 181, chapter 24, of the acts of 1916, relative to the State Board of Education granting certificates to graduates of institutions of higher learning whether within or without the State, and repealing and re-enacting sections 78 and 87 of chapter 24, of the acts of 1916, relating to change in boundaries of subdistricts and amend-

ing section 129 of chapter 24 of the acts of 1916, relating to the amount of taxes counties may levy for local purposes; and that section 148 of chapter 24, acts of 1916, relating to means of securing sites for graded school and new section relating to consolidation schools. Said chapter 24, of the acts of 1916, was an act entitled: An act to repeal chapter 113 of the Kentucky Statutes, Carroll's edition of 1915, being sections 4363 to 4535h, inclusive, except sections 4421a and 4421b, inclusive, and sections 4527 to 4535c inclusive, and re-enact the same chapter with the articles and sections corrected, re-arranged, simplified and the repealing sections and parts of sections omitted and fixing the time of year at which text book adoption shall be made.

To the Committee on Rules.

S. B. 141. An act to regulate the use and sale of wood alcohol and fixing a penalty.

To the Committee on Rules.

S. B. 190. An act to amend section 1349, Kentucky Statutes.

To the Committee on Rules.

S. B. 282. An act to amend and re-enact chapter 126 of the acts of 1912, being section 4758a of the Kentucky Statutes entitled: An act to regulate the assignment, pledge, sale, etc., of wages.

To the Committee on Rules.

S. B. 273. An act to amend an act entitled an act for the government of cities of the fourth class.

To the Committee on Rules.

S. B. 306. An act to amend and re-enact section 7 of chapter 7 of the acts of the extraordinary session of 1917 relating to reports for corporation license tax.

To the Committee on Rules.

S. B. 330. An act relating to suffrage and elections and providing a method of registering voters in this Commonwealth residing outside the city limits of cities of the first, second, third and fourth classes, and fixing penalties for violation of the law.

To the Committee on Rules.

S. B. 80. An act prescribing the time for filing the annual report or statement of railway, telephone, telegraph, express and other public utility companies with the Auditor of Public Accounts, Tax Commission and Railroad Commission and repealing conflicting laws.

To the Committee on Rules.

S. B. 253. An act relating to public health; to provide State aid to any county, tuberculosis district, or public or private organization not operated for profit, which shall employ a visiting nurse for the cure and prevention of tuberculosis and other diseases, and to render aid in times of war or emergency to the sick, afflicted, injured or distressed from any cause, under the supervision and direction of the State Board of Health.

To the Committee on Rules.

Mr. Klair, of the Committee on Rules, called up for consideration from the orders of the day the following bills in the following order, viz.:

The House took up for consideration from the orders of the day a bill of the following title:

H. B. 398. An act to amend subsection 15 of section 311a of the Kentucky Statutes, relating to child labor.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That subsection 15 of section 331a of the Kentucky Statutes be amended by adding after the word "place" in the ninth line of subsection 15 the following words, to-wit: "Except this shall not apply to boys 12 years of age and over who may be employed after their regular school hours by newspapers in cities of the third class in delivering newspapers on regular subscription routes," so that said subsection 15 of section 331a shall read as a whole as follows, to-wit:

"No boy under 14 years of age nor girl under 18 years of age shall be employed, permitted or suffered to work at any time in any city of the first, second or third class in, or in connection with, the street occupations of peddling, boot-blacking, the distribution or sale of newspapers, magazines, periodicals or circulars, nor in any other occupation pursued in any street or public place, except this shall not apply to boys 12 years of age and over who may be employed after their regular school hours by newspapers in cities of the third class in delivering newspapers on regular subscription routes.

"(A) Boys between fourteen and sixteen years of age shall, upon application to the school authorities, as in the case of an employment ceritficate, and upon compliance with all of the requirements for the issuance of an employment certificate, be entitled to receive from the officer authorized to issue employment certificates, a badge, which shall authorize the recipient to engage in the trades or occupations above

mentioned between the hours of six o'clock a. m. and eight p. m. of each day, but at no other time. Such badge shall be displayed conspicuously by the recipient while so engaged and shall be renewed annually on the first day of January. The color of all such badges issued in the same calendar year shall be the same and said color shall be changed each year upon renewal.

"(B) Boys between fourteen and sixteen years of age who comply with all of the requirements for the issuance of an employment certificate except the educational requirement (that is, the filing of a school record or the passing of an examination in lieu thereof) shall be entitled to receive from the officer authorized to issue employment certificates a badge which shall authorize the recipient to engage in the above mentioned trades or occupations at such time or times between six a. m. and eight p. m. in each day as the public schools of the city or district where such boy resides are not in session, but at no other time. All such badges issued in the same calendar year shall be of the same color; but in either form, design, or color shall be so different from the badges issued to boys who comply with the educational requirements above mentioned as to be readily distinguishable therefrom. Such badges shall be renewed annually upon the first of January, and their color shall be changed each year upon renewal.

"Any child who shall engage in any such street occupation in violation of any of the provisions of this section shall be deemed delinquent and shall be brought before any court or magistrate having jurisdiction over juvenile delinquents, and shall be dealt with according to law. The labor inspectors, truant officers, police officers, and juvenile court probation officers, shall enforce the provisions of this section. Whoever furnishes or sells to any minor any article of any description with the knowledge that said minor intends to sell said article in violation of the provisions of this section, or who shall continue to furnish or sell articles of any description to a minor

after having received written notice from any officer charged with the enforcement of this section, or from the officer issuing the badge required as aforesaid, that said minor is unlicensed to sell such article, shall be punished by a fine of not less than fifteen dollars nor more than one hundred dollars for each offense."

Mr. Klair offered the following amendment to said bill, viz.:

Amend House Bill No. 398 in line five after the word "the" and before the word "third" by adding the words "second and," and by adding the words "second and" in line seventeen of said bill after the word "the" and before the word "third" at the beginning of said line.

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	Fred Cornelius	W. H. Hager
B. S. Bailey	James S. Cruse	J. S. Hall
L. D. Baldauf	J. C. Davis	A. L. Hamilton
B. C. Beckmann	A. A. Demunbrun	L. B. Hamilton
O. V. Brown	H. Lawrence Dixon	E. C. Hardin
R. J. Cain	F. A. Easterling	B. H. Harris
T. L. Caudel	J. M. Elliston	Joe Huddleston
A. S. Cooper	I. H. Gabbard	A. R. Hudson

Chas. L. Hunter	H. C. McGehee	Claude B. Smith
J. W. Johnson	S. Lee McGohan	R. T. Smith
Griffin Kelly	H. C. McLellen	T. J. Smith
W. F. Klair	W. B. O'Bannon	Thomas Spurrier
H. A. Knollmann	A. J. Oliver	Ben Street
S. D. Laughlin	T. P. Oliver	John W. Swope
Joseph Lazarus	W. F. Paris	Claude M. Thomas
J. E. Lilly	Lilburn Phelps	W. F. Trusty
Clarence Miller	Luther Pieratt	J. Wood Vance
J. T. Murphy	Ote Piper	F. C. VanHoose
Ryland C. Musick	H. C. Rice	G. Frank Walthal
A. J. McCandless	Lewis Ryans	T. R. Welch
W. P. McDonogh	Avery Sartin	E. G. Young

—63

There voted in the negative—

Joe Schneider —1

Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 363. An act to authorize the guardian of an infant curator or the committee of a person of unsound mind to lease the real estate or any interest therein of infant or person of unsound mind for the removal of oil and mineral and other mining purposes, and regulating the procedure therefor, and repealing chapter 99 of the acts of the regular session of the General Assembly of the Commonwealth of Kentucky during the year 1916.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 99 of the acts of the General Assembly of Kentucky, adopted at the regular session thereof in the year 1916, entitled, "An act to authorize the guardian

of an infant curator or the committee of a person of unsound mind to lease the real estate or any interest therein of infant or person of unsound mind for mining purposes, and regulating the procedure therefor," be and the same is hereby repealed and in lieu thereof the following is hereby enacted.

§ 2. That the guardian of an infant curator or the committee of a person of unsound mind may lease the real estate, or any interest therein, of such infant or person of unsound mind for the purpose of mining and removing all or part of the coal, oil, gas and any or all other mineral or mineral substances and products therein; together with the usual and reasonably necessary privileges to mine, bore for, store, pump and remove the same, and similar products taken from other land, and the right to dump upon said land refuse or other products taken therefrom and from other land; and to erect upon said land miners' houses, commissaries and hotels and other houses and equipment reasonably necessary to enable the lessee to carry on the business in the most economical way. Such lease may be for such length of time as the guardian, curator or committee may approve, without being limited to the time at which the disability of such infant or person of unsound mind may be removed.

§ 3. No such lease shall become effective until the county judge of the county in which the land to be leased lies shall endorse his approval thereupon, which shall be recorded with said lease, and at the same time an order shall be entered upon the order book of the county court showing the approval of said lease. The county judge shall, before approving said lease, require the affidavits of not to exceed three disinterested owners of real estate in said county as to whether said lease would be advantageous or beneficial to the infant or person of unsound mind; and also, before approving said lease, shall appoint a regular practicing attorney of his court as guardian ad litem of the infant, or person of unsound mind, who shall investigate carefully the proposed lease and

file a written report with the county judge setting forth his reasons for the approval or disapproval of same, and may, in support of his report, file the affidavits of as many as three disinterested owners of real estate in said county. The report of the guardian ad litem and all affidavits filed shall be preserved in the files of the county court. The county judge shall allow to the guardian ad litem a reasonable fee for his services, to be paid by the lessee. The affidavit of such guardian, or of another person, or other competent evidence, is admissible to prove the services rendered, but not to prove their value. The judge must decide concerning such value, without reference to the opinions of parties or other witnesses.

§ 4. In case such lease be made, the guardian, curator or committee shall execute a bond, to be approved by the court, to the infant or person of unsound mind, with at least two solvent sureties, conditioned for the faithful application of the proceeds of such lease coming into his hands by virtue thereof, and the court may at any time thereafter require from such guardian, curator or committee the execution of a new bond, with other or additional security, to be given if deemed necessary.

§ 5. All amounts accruing and to accrue under such lease shall be treated as an income of the estate of such infant or person of unsound mind, and shall be held and accounted for as such by the guardian, curator or committee. The leasehold estate, upon the death of such infant or person of unsound mind, without having disposed of same in the manner authorized by law, shall descend to the real representatives of such infant or person of unsound mind, for distribution among the decedent's heirs at law.

§ 6. The guardian, curator or committee, or his successor as such, shall from time to time make settlements to the county court as provided by law. And upon the infant becoming of age or the person of unsound mind becoming of sound mind shall make a final and complete settlement

of all amounts received under such lease, and account for the same as herein and by law provided, and shall thereupon be discharged from further duty or accountability as such guardian or committee. Thereafter the rights and obligations of such former infant or person of unsound mind and the lessee shall be the same as if the lease had been executed originally to the lessee by a person over twenty-one years of age and free from any disability.

§ 7. All acts or parts of acts in conflict herein are hereby repealed.

§ 8. Whereas, much property in this state is held by infants and is desirous of being speedily leased for development of oil, gas and other mining purposes, an emergency is declared to exist, and this act is to take effect from and after its passage and approval.

The Committee on Mines and Mining offered the following amendment to said bill by way of substitute therefor, viz.:

An act to authorize the guardian of an infant curator or the committee of a person of unsound mind to lease the real estate or any interest therein of infant or person of unsound mind for the removal of oil and mineral and other mining purposes, and regulating the procedure therefor, and repealing chapter 99 of the Acts of the regular session of the General Assembly of the Commonwealth of Kentucky during the year 1916.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1. That chapter 99 of the Acts of the General Assembly of Kentucky, adopted at the regular session thereof in the year 1916, entitled, "an act to authorize the guardian of an infant, curator or the committee of a person of unsound mind to lease the real estate or any interest therein of infant or person of unsound mind for mining purposes, and

regulating the procedure thereof, be, and the same is, hereby repealed and in lieu thereof the following is hereby enacted:

2. That the guardian of an infant curator or the committee of a person of unsound mind may lease the real estate, or any interest therein, or such infant or person of unsound mind for the purpose of mining and removing all or part of the coal, oil, gas and any or all other mineral or mineral substances and products therein, together with the usual and reasonably necessary privileges to mine, bore for, store, pump and remove the same, and similar products taken from other land, and the right to dump upon said land refuse or other products taken therefrom and from other land, and to erect upon said land miners' houses, commissaries and hotels and other houses and equipment reasonably necessary to enable the lessee to carry on the business in the most economical way. Such lease may be for such length of time as the guardian, curator or committee may approve, without being limited to the time at which the disability of such infant or person of unsound mind may be revoked.

3. No such lease shall be valid or effective until the judge of the circuit court for the district in which the land to be leased or the greater portion thereof lies, shall appoint a guardian *ad litem* to represent such infant or person of unsound mind, and who shall file an answer, and the affidavits of at least three witnesses proving the advantages or disadvantages to such infant or person of unsound mind, and make such recommendation of said lease to the judge of said court as he believes to be most beneficial to said infant or person of unsound mind, and he shall receive for his services a reasonable compensation, allowed by the judge, to be taxed as costs and paid by the lessee and shall either in term time or in vacation, approve same and endorse his approval thereon, which endorsement shall be recorded with the lease, and the order of the judge approving said lease, whether made in term time or in vacation, shall be entered on the civil order

book of the circuit clerk's office of the county in which the land to be leased, or the greater portion thereof, lies.

The said judge shall, before approving any such lease, require the guardian of such infant or curator or committee of such person of unsound mind to file with the clerk of the circuit court of the county in which the land to be leased, or the greater portion thereof, lies, a petition setting forth a statement of facts, constituting the grounds on which he relies, to secure the approval of such lease, and shall proceed in a summary manner, and require to be submitted with the petition and lease, the affidavits of not less than three disinterested owners of real estate in the county where the land, or the greater portion thereof, lies, as to whether the lease will be advantageous or beneficial to the infant or person of unsound mind, which affidavit shall be filed and preserved as records of the circuit court.

4. In case such lease be made, the guardian, curator or committee shall execute a bond, to be approved by the said judge, to the infant or person of unsound mind, with at least two solvent sureties, conditioned for the faithful application of the proceeds of such lease coming into his hands by virtue thereof, and the judge may at any time thereafter require from such guardian, curator or committee the execution of a new bond, with other or additional security, to be given if deemed necessary.

5. All amounts accruing and to accrue under such lease shall be treated as an income of the estate of such infant or person of unsound mind, and shall be held and accounted for as such by the guardian, curator or committee. The leasehold estate, upon the death of such infant or person of unsound mind, without having disposed of the same in the manner authorized by law, shall descend to the real representatives of such infant or person of unsound mind, for distribution among the decedent's heirs at law.

6. The guardian, curator or committee, or his successor as such shall, from time to time, make settlements to the

county court as provided by law. And upon the infant becoming of age or the person of unsound mind becoming of sound mind shall make a final and complete settlement of all amounts received under such lease, and account for the same as herein and by law provided, and shall thereupon be discharged from further duty or accountability as such guardian or committee. Thereafter the rights and obligations of such former infant or person of unsound mind and the lessee shall be the same as if the lease had been executed originally to the lessee by a person over twenty-one years of age and free from any disability.

7. All acts or parts of acts in conflict herein are hereby repealed.

8. Whereas, much property in this state is held by infants and is desirous of being speedily leased for development of oil, gas and other mining purposes, an emergency is declared to exist, and this act is to take effect from and after its passage and approval.

Said amendment by way of substitute was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended by way of substitute therefor, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	B. C. Beckmann	R. J. Cain
B. S. Bailey	H. V. Bell	T. L. Caudel
L. D. Baldauf	J. L. Bradford	John Cook
W. T. Beckham	O. V. Brown	A. S. Cooper

W. P. Cropper	W. F. Klair	H. C. Rice
James S. Cruse	H. A. Knollman	Avery Sartin
J. C. Davis	S. D. Laughlin	Joe Schneider
A. A. Demunbrun	Joseph Lazarus	Claude B. Smith
H. L. Dixon	M. E. Lee	R. T. Smith
W. G. Dycus	J. E. Lilly	T. J. Smith
J. M. Elliston	Clarence Miller	Ben Street
I. H. Gabbard	Claude D. Minor	John W. Swope
Lark Garnett	J. T. Murphy	Claude M. Thomas
W. H. Hager	Ryland C. Musick	John B. Thomas
A. L. Hamilton	A. J. McCandless	S. G. Thornberry
L. B. Hamilton	W. P. McDonogh	W. F. Trusty
E. C. Hardin	H. C. McGehee	J. Wood Vance
B. H. Harris	S. Lee McGohan	F. C. VanHoose
David J. Howard	W. B. O'Bannon	Geo. C. Waggoner
Joe Huddleston	A. J. Oliver	G. Frank Walthal
A. R. Hudson	T. P. Oliver	T. R. Welch
Chas. L. Hunter	W. F. Paris	W. N. Winn
J. W. Johnson	Lilburn Phelps	E. G. Young
Leslie P. Jones	Luther Pieratt	
Griffin Kelly	Ote Piper	—73

There voted in the negative—

Harry Dill —1

Resolved, that the title thereof be as amended.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 284. An act to amend and re-enact subsection 5 of section 4356x of Carroll's edition of Kentucky Statutes relating to system of public state roads.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That subsection 5 of section 4356x of Carroll's 1915 edition of Kentucky Statutes, be amended and re-enacted as follows:

By adding in line six thereof, after the word "reconstruction," the words "and maintenance," and in line nine, after the word "reconstruct," the words "and maintain," and in line 14, after the word, "reconstructing," the words, "or maintaining," and by adding thereto in line 15, after the words "public roads" the following words, "the said road or roads so to be constructed or reconstructed or maintained to be selected by the respective fiscal courts of the several counties of the state." And by adding after the word "reconstructing," in line 26 thereof, the following words, "or maintaining," and in line 31, after the word "reconstruction" the words "or maintaining," so that said section, as amended, will read as follows:

"State Road Fund Apportioned.—The money hereby set apart in the state treasury to the credit of the state roads fund shall be apportioned among the several counties applying for state aid in the manner hereinafter provided, and the amount so proportioned shall be based upon the amount of taxes levied and collected therein for the building and reconstruction and maintenance of public roads, and including the taxes collected from year to year to pay the interest on or create a sinking fund for any bonded indebtedness which may hereafter be created by any county to construct or reconstruct or maintain public roads until such county shall have received from the state road fund an amount equal to one-half of the moneys appropriated for building roads by said county, whether the sum thus appropriated be from the sale of bonds or from direct taxation. Provided, that said sum shall be expended in constructing or maintaining public roads under the direction of the commissioner of public roads. The said

road or roads so to be constructed or reconstructed or maintained to be selected by the respective fiscal courts of the several counties of the state.

It is further provided that any county voting bonds and expending the proceeds of same in building public roads under the direction of the commissioner of public roads, may, in case the amount thus expended exceeds the proportioned amount, said county may be able to secure from the state road fund, then in that event said county shall be entitled to receive from the state road fund in subsequent years such further amounts as will make the total amount received from said fund equal to one-half of the moneys expended by said county under the direction of the commissioner of public roads; provided, that the said county shall expend said funds thus secured in constructing or reconstructing or maintaining public roads; provided, further, that no one county shall receive in any one year more than two per cent of the amount collected for state road fund. The amount of taxes upon which this apportionment is based shall include all district and county road taxes and any tolls levied and collected for the construction or reconstruction or maintaining of any hard surfaced roads of the counties applying for state aid. Any balance remaining in the state road fund after one year's apportionment shall be retained and included in the next year's apportionment."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. D. Baldauf	B. H. Harris	A. J. Oliver
J. H. Ballard	David J. Howard	W. F. Paris
Robert Bays	Joe Huddleston	Lilburn Phelps
W. T. Beckham	A. R. Hudson	Luther Pieratt
B. C. Beckmann	Chas. L. Hunter	Ote Piper
R. J. Cain	J. W. Johnson	Avery Sartin
John Cook	Leslie P. Jones	Claude B. Smith
A. S. Cooper	Griffin Kelly	R. T. Smith
James S. Cruse	H. A. Knollmann	T. J. Smith
A. A. Demunbrun	S. D. Laughlin	Ben Street
H. L. Dixon	Joseph Lazarus	John W. Swope
F. A. Easterling	J. E. Lilly	Claude M. Thomas
J. M. Elliston	J. T. Murphy	John B. Thomas
I. H. Gabbard	Ryland C. Musick	S. G. Thornberry
W. H. Hager	A. J. McCandless	W. F. Trusty
J. S. Hall	H. C. McGehee	J. Wood Vance
L. B. Hamilton	H. C. McLellen	F. C. VanHoose
E. C. Hardin	W. B. O'Bannon	—53

Those who voted in the negative were—

Chas. Ashby	Lark Garnett	H. C. Rice
J. L. Bradford	A. L. Hamilton	Joe Schneider
T. L. Caudel	W. F. Klair	G. F. Walthal
Everett Cobb	W. P. McDonogh	T. R. Welch
W. P. Cropper	S. Lee McGohan	W. N. Winn
W. G. Dycus	T. P. Oliver	—17

Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 186. An act to amend an act entitled an act to punish derogatory statements affecting any bank, savings bank or trust company, approved March 18, 1914, and to make the provisions of said act applicable to domestic insurance companies.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That an act entitled "an act to punish derogatory statements affecting any bank, savings bank or trust company," which was approved March 18, 1914, being chapter 45 of the Acts of the General Assembly of the Commonwealth of Kentucky, and also being section 589a of Carroll's 1915 edition of Kentucky Statutes, be, and the same is, hereby amended by inserting immediately after the word "state," in the eighth line of said act, the words "or of any domestic insurance company," so that the said act, when amended, shall read as follows:

"That any person who shall wilfully and maliciously make, circulate or transmit to another or others any false statement, rumor or suggestion, written, printed or by word of mouth, which is directly or by inference derogatory to the financial condition or affects the solvency or financial standing of any bank, savings bank or trust company, doing business in this state, or of any domestic insurance company, or who shall counsel, aid, procure or induce another to start, transmit or circulate any such statement or rumor shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than two hundred nor more than one thousand dollars or confined in the county jail not less than twenty nor more than one hundred days, or both so fined and imprisoned in the discretion of the court."

Mr. Street offered the following amendment to said bill, viz.:

Amend House Bill No. 186, line 7, after the word "domestic," add the words "or foreign," and in line fourteen add the words, after "domestic" "or foreign."

Amend title by adding the words after "domestic" "or foreign."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby
B. S. Bailey
L. D. Baldauf
J. H. Ballard
W. T. Beckham
B. C. Beckmann
H. V. Bell
O. V. Brown
R. J. Cain
T. L. Caudel
John Cook
A. S. Cooper
Fred Cornelius
W. P. Cropper
James S. Cruse
J. C. Davis
A. A. Demunbrun
H. L. Dixon
W. G. Dycus
J. M. Elliston
I. H. Gabbard
W. H. Hager
J. S. Hall
A. L. Hamilton
E. C. Hardin
B. H. Harris
David J. Howard
Chas. L. Hunter
J. W. Johnson
Leslie P. Jones
Griffin Kelly
W. F. Klair
H. A. Knollmann
W. T. Lasley
S. D. Laughlin
M. E. Lee
J. E. Lilly
Clarence Miller
J. T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
H. C. McGehee
S. Lee McGohan
H. C. McLellen
A. J. Oliver
T. P. Oliver
W. F. Paris
Luther Pieratt
Ote Piper
H. C. Rice
Joe Schneider
Claude B. Smith
R. T. Smith
Ben Street
John W. Swope
Claude M. Thomas
J. T. Thornton
J. Wood Vance
F. C. VanHoose
Geo. C. Waggoner
G. F. Walthal
T. R. Welch
W. N. Winn
E. G. Young

—65

Those who voted in the negative were—

L. B. Hamilton	Avery Sartin	John B. Thomas
Joe Huddleston	T. J. Smith	S. G. Thornberry
Lilburn Phelps	Thomas Spurrier	W. F. Trusty

—9

Resolved, that the title thereof be as amended.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 333. An act to amend section 15 of an act entitled an act concerning laws, and entitled laws, which was approved March 23rd, 1893, and which now constitutes section 2432 of the Kentucky Statutes, Carroll's edition of 1915.

Mr. R. T. Smith moved that said bill be laid on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 451. An act to create the office of State Inheritance Tax Appraiser and to provide for the collection of inheritance taxes.

Mr. Rice moved that said bill be laid on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 520. An act creating the Kentucky State Horticultural Society and to further foster the fruit interests of the state.

Mr. Lasley moved that said bill be laid on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill of the following title:

H. B. 244. An act amending and re-enacting section 786 of the Kentucky Statutes, Carroll's edition, 1909, relating to railroad signals at crossings.

Mr. R. T. Smith moved that said bill be laid on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 262. An act to locate a part of the state line between the states of Kentucky and Virginia, and to provide a commission to establish and mark said line, which is now and for a long period of time has been in dispute.

Mr. A. J. Oliver moved that said bill be laid on the table.

Said motion was disagreed to.

Mr. Klair moved that said House Bill No. 262 be made a special order for tomorrow morning, and to be the first bill taken up for consideration and passage.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 71. An act providing for a burial fund for persons under and over twelve years of age who die residents of Kentucky owning no property, and providing that the county of the residence of such person shall be liable therefor and the

manner in which application may be made for such fund and how determined and manner of payment thereof.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Whenever any infant shall die while a resident of this Commonwealth, leaving no property of any kind in his name or possession or in the possession of his or her parents, guardian, curator or committee, and whose parents or guardian have not sufficient property to provide such infant with a burial, the county where such infant shall reside shall provide the following sums in the following manner for the purpose of defraying the expense of the burial of such infant as provided in the following sections of this act.

§ 2. Whenever any person over the age of twenty-one years, shall die while a resident of this Commonwealth, leaving no property of any kind in his name or possession or the possession or control of another for such person, and whose surviving husband or wife, if such case exist, has not sufficient property to provide such person with a burial, the county wherein such person shall reside shall provide the following sum in the following manner for the purpose of defraying the expense of the burial of such person as provided in the following sections of this act.

§ 3. Whenever any infant as described and mentioned in section one hereof, who is entitled to the provisions of this act, shall die under the age of twelve years, then there shall be provided by said county the sum of seven dollars and fifty cents for such burial purposes. Whenever any infant twelve years of age, or more, who shall be entitled to the provisions of this act or any person mentioned or described in section two hereof who shall be entitled to the provisions of this act, shall die, then there shall be provided by such county the sum of fifteen dollars for such burial purposes.

§ 4. Whenever any person shall die, who shall be entitled to the provisions of this act, the person or persons having charge of the burial of such deceased person may make application to the justice of the peace of the magisterial district in said county where such deceased resided or to the county judge of said county, for the aid mentioned herein. The justice of the peace or county judge, before whom such application shall be made, shall consider same and investigate the facts and circumstances as to whether such deceased person is entitled to have the aid provided for under this act and his decision shall be final on said application. If said justice of the peace or county judge, before whom such application is made, shall decide that the person or persons applying for said aid are entitled thereto under the provisions of this act, he shall issue his certificate to that effect and deliver same to the person or persons having charge of said burial, stating in said certificate the amount to which deceased is entitled for burial purposes under this act. Any person performing labor and furnishing materials in the burial of such deceased on the faith of said certificate shall have a lien on said fund allowed, provided he shall furnish and file with the fiscal court of said county his itemized statement of labor performed and materials furnished properly sworn to by such person claiming the lien. Said certificate shall be returned to the fiscal court of said county by the person to whom delivered or by any person claiming a lien on said fund. To said certificate shall be attached the itemized bills constituting a lien on said fund. Whereupon the fiscal court shall order said bills, to the extent of the amount allowed in said certificate, paid to the persons furnishing the labor or materials, out of the general funds in the treasury of the county.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	J. M. Elliston	H. C. McGehee
B. S. Bailey	Lark Garnett	H. C. McLellen
L. D. Baldauf	L. B. Hamilton	T. P. Oliver
W. T. Beckham	E. C. Hardin	W. F. Paris
B. C. Beckmann	Joe Huddleston	Luther Pieratt
H. V. Bell	A. R. Hudson	Ote Piper
J. L. Bradford	Chas. L. Hunter	Joe Schneider
O. V. Brown	J. W. Johnson	Claude B. Smith
R. J. Cain	Leslie P. Jones	R. T. Smith
T. L. Caudel	Griffin Kelly	Thomas Spurrier
John Cook	W. F. Klair	Ben Street
A. S. Cooper	H. A. Knollmann	Geo. F. Thompson
Fred Cornelius	W. T. Lasley	J. Wood Vance
W. P. Cropper	S. D. Laughlin	F. C. VanHoose
James S. Cruse	Joseph Lazarus	Geo. C. Waggoner
A. A. Demunbrun	J. T. Murphy	E. G. Young
W. G. Dycus	W. P. McDonogh	—50

Those who voted in the negative were—

J. E. Lilly	H. C. Rice	W. F. Trusty
Ryland C. Musick	Avery Sartin	T. R. Welch
W. B. O'Bannon	Claude M. Thomas	
Lilburn Phelps	S. G. Thornberry	—10

Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 372. An act to amend and re-enact section 14 of an act entitled an act to regulate the practice of veterinary medicine, surgery and dentistry in the state of Kentucky, to

license non-graduate veterinarians, to establish a State Board of Veterinary Medical Examiners, and to provide penalties for violating the provisions thereof, approved March 24, 1916, now constituting chapter 71 of the compiled Acts of the General Assembly of 1916.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 14 of an act entitled: "An act to regulate the practice of veterinary, medicine, surgery, and dentistry in the State of Kentucky, to license non-graduate veterinarians, to establish a State Board of Veterinary Medical Examiners and to provide penalties for violating the provisions thereof, approved March 24, 1916;" be and the same is hereby amended by striking therefrom the words "operate on" after the words "who shall treat" in said act, and by striking from said section 14 the word "obtainable" and inserting in lieu thereof the word "practicable" following the words "veterinarian or not" so that when said section 14 of said act is amended and re-enacted shall be and read as follows: Any person shall be regarded as practicing veterinary medicine, surgery or dentistry within the meaning of this act who professes publicly to be a doctor of veterinary medicine, surgeon or dentist, respectively, or who appends to his name any initials or title implying qualifications to practice or who shall treat or prescribe for any physical ailment, or any physical injury to, or deformity of, any domestic animal, for which he shall receive compensation, either directly or indirectly. Nothing in this act shall apply to persons gratuitously treating animals in cases of emergency; providing they do not represent themselves to be veterinarians or use any title or degree appertaining to the practice thereof. And nothing in this act shall interfere with or prevent per-

sons in rural districts or smal towns, where the services of a registered veterinarian are not practicable from treating, operating upon or prescribing for domestic animals and charging for same.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Mr. Kelly offered the following amendment to said bill, viz.:

Amend House Bill No. 372 by striking therefrom all of line six and the words "treat in said act, and" in line seven, and by inserting the words "operate on" after the word "who shall treat," in line fourteen, and by adding to the end of said section the following: "Provided nothing in this act shall prevent anyone from castrating animals and charging a fee therefor."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	O. V. Brown	Fred Cornelius
W. T. Beckham	R. J. Cain	W. P. Cropper
B. C. Beckmann	T. L. Caudel	James S. Cruse
H. V. Bell	John Cook	J. C. Davis
J. L. Bradford	A. S. Cooper	A. A. Demunbrun

H. Lawrence Dixon	H. A. Knollmann	Claude B. Smith
W. G. Dycus	S. D. Laughlin	R. T. Smith
F. A. Easterling	M. E. Lee	T. J. Smith
J. M. Elliston	J. E. Lilly	Ben Street
I. H. Gabbard	J. T. Murphy	Claude M. Thomas
Lark Garnett	Ryland C. Musick	John B. Thomas
W. H. Hager	A. J. McCandless	G. F. Thompson
A. L. Hamilton	W. P. McDonogh	S. G. Thornberry
L. B. Hamilton	H. C. McGehee	W. F. Trusty
E. C. Hardin	H. C. McLellen	J. Wood Vance
B. H. Harris	W. B. O'Bannon	F. C. VanHoose
David J. Howard	A. J. Oliver	Geo. C. Waggoner
Joe Huddleston	T. P. Oliver	G. F. Walthal
A. R. Hudson	Luther Pieratt	T. R. Welch
Chas. L. Hunter	Ote Piper	W. N. Winn
J. W. Johnson	H. C. Rice	E. G. Young
Griffin Kelly	Avery Sartin	
W. F. Klair	Joe Schneider	—67

Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 141. An act to amend section 4649 of chapter 122, Kentucky Statutes.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 4649 of chapter 122, of Kentucky Statutes, relating to the law against stock running at large, be amended as follows, by adding thereto and at the end thereof the following:

"In an indictment for a violation of the section, it shall not be necessary to allege that a petition was filed, or a vote taken, or an election held, or that the fiscal court had decided

by a majority of the members composing same, whether said election shall be confined to voting or magisterial districts, or shall be to take the sense of the voters of the entire county, nor shall it be necessary to allege any other step relative thereto; but it may be simply stated that the act or acts charged were committed in a territory where the said act was in force; and in said indictment it shall be sufficient to designate said act as the law against stock running at large."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	A. A. Demunbrun	Griffin Kelly
B. S. Bailey	H. Lawrence Dixon	W. F. Klair
J. H. Ballard	W. G. Dycus	H. A. Knollman
A. L. Baldwin	F. A. Easterling	W. T. Lasley
W. T. Beckham	J. M. Elliston	S. D. Laughlin
B. C. Beckmann	I. H. Gabbard	Joseph Lazarus
H. V. Bell	Lark Garnett	M. E. Lee
J. L. Bradford	W. H. Hager	J. E. Lilly
O. V. Brown	L. B. Hamilton	Ryland C. Musick
R. J. Cain	E. C. Hardin	A. J. McCandless
T. L. Caudel	B. H. Harris	W. P. McDonogh
John Cook	David J. Howard	H. C. McGehee
A. S. Cooper	Joe Huddleston	H. C. McLellen
Fred Cornelius	A. R. Hudson	W. B. O'Bannon
W. P. Cropper	Chas. L. Hunter	A. J. Oliver
James S. Cruse	J. W. Johnson	Lilburn Phelps
J. C. Davis	Leslie P. Jones	Luther Pieratt

Ote Piper	T. J. Smith	J. Wood Vance
H. C. Rice	Ben Street	F. C. VanHoose
Avery Sartin	Claude M. Thomas	G. Frank Walthal
Joe Schneider	Elmore Thomas	T. R. Welch
Claude B. Smith	John B. Thomas	W. N. Winn
R. T. Smith	W. F. Trusty	E. G. Young

—69

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that House Bill No. 295 be made a special order for tomorrow immediately following the conclusion of the consideration of House Bill No. 262.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill of the following title, viz.:

H. B. 221. An act to repeal an act entitled an act to incorporate and establish a public school for colored people in the town of Hawesville, and within a radius of two miles of the court house in said town, approved March 19, 1888, and all amendments thereto.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an act entitled "An act to incorporate and establish a public school for colored people in the town of Hawesville, and within a radius of two miles of the court house in said town," approved March 19, 1888, and all amendments thereto, be and the same are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	W. H. Hager	Ote Piper
B. S. Bailey	A. L. Hamilton	H. C. Rice
W. T. Beckham	E. C. Hardin	Avery Sartin
B. C. Beckmann	B. H. Harris	Joe Schneider
H. V. Bell	Joe Huddleston	Claude B. Smith
J. L. Bradford	A. R. Hudson	R. T. Smith
O. V. Brown	J. W. Johnson	T. J. Smith
R. J. Cain	Griffin Kelly	Ben Street
T. L. Caudel	W. F. Klair	Claude M. Thomas
John Cook	H. A. Knollmann	Elmore Thomas
A. S. Cooper	S. D. Laughlin	John B. Thomas
Fred Cornelius	Joseph Lazarus	Geo. F. Thompson
W. P. Cropper	M. E. Lee	S. G. Thornberry
James S. Cruse	J. T. Murphy	W. F. Trusty
J. C. Davis	Ryland C. Musick	J. Wood Vance
A. A. Demunbrun	A. J. McCandless	F. C. VanHoose
H. Lawrence Dixon	W. P. McDonogh	Geo. C. Waggoner
W. G. Dycus	H. C. McLellen	G. Frank Walthal
J. M. Elliston	W. B. O'Bannon	T. R. Welch
L. L. Embry	A. J. Oliver	W. N. Winn
I. H. Gabbard	Lilburn Phelps	E. G. Young
Lark Garnett	Luther Pieratt	—65

Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 515. An act to provide for the opening of private passways.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Places to Which May Be Opened—Appointment of Commissioners—Report.—Whenever it shall appear to a court that it is necessary for a citizen to have a private passway over the land of one or more persons in the county to enable him to attend courts, elections, a meeting house, a mill, a warehouse (a regular steamboat landing, ferry or railroad depot, most convenient to his residence, the court shall appoint commissioners as in case of a road, who, being first sworn to discharge their duties faithfully and impartially, shall go upon the lands of the persons through which the passway is proposed, whether arable or not, and shall report, in writing, to the court whether or not a private passway is necessary to the applicant for the purposes aforesaid; and if favorable to the passway, they shall, in their report, designate the exact route for the same by metes and bounds, course and distance, and the width thereof, which, in no case, shall exceed twenty feet, and they shall determine and assess what will be a joint compensation to each owner and tenant, if any, for the land proposed to be taken for a passway, in the same manner as upon an application to open and establish a new road.

§ 2. Notice of Application to Owner.—The applicant for commissioners shall give the person through whose land the passway is proposed ten days' previous notice of the intended application.

§ 3. Report of Commissioners—Copy to Be Given Owner.—The commissioners shall make out a report of their proceedings, and sign the same, and, at least ten days before the court is required to act, deliver a copy thereof to the proprietor, and tenants, if any, of the lands over which the proposed passway is to run.

§ 4. Trial of Application.—When the report of the commission is returned to the court, it shall proceed to establish the passway or refuse the same as in the case of a road.

§ 5. Damages Paid by Applicant Before Road Opened. —No passway shall be established without the consent of the owners, until compensation and damages to the owner and tenants, if any, of the land shall be assessed, as in case of a public road, which compensation and damages, and the cost of the whole proceeding shall be paid by the applicant before the passway shall be established.

§ 6. Gates to Be Erected and Maintained by Applicant. —Any gates that shall become necessary by the establishment of a passway shall be erected and kept up at the expense of the applicant for the passway.

§ 7. Obstructing Passway—Penalty.—Any person who shall put any obstruction in a passway, or shall prop open, pull down, injure or leave open a gate erected across the same, shall be liable to a fine of ten dollars, recoverable by warrant in the name of the Commonwealth, the fine to be laid out in repairing the passway or gate.

§ 8. Change of Passway—How Effected.—When the proprietor of lands over which a passway may be established shall wish to change the same, he shall give the applicant for the passway ten days' previous notice, and may, thereupon, apply to the county court, and the court shall appoint commissioners to view the proposed change, who shall be sworn as on original applications, and shall go on the grounds and report the conveniences and inconveniences of making the change. Upon the return the court shall, as may seem proper, make the proposed change or not. But before such change shall take effect the proprietor shall open the new route, and remove and put up the gates across the same, at his own expense, and pay the other costs of procedure.

§ 9. Discontinuance of—Places Not to Be Opened—Appeal.—Passways may be discontinued by court in the same manner as roads. The law regulating appeals in road cases

shall apply to and govern proceedings concerning passways. No passway shall be established through any town lot, burying ground, building or yard (or ground of any charitable institution of this Commonwealth), without the consent of the owner.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby
B. S. Bailey
L. D. Baldauf
W. T. Beckham
B. C. Beckmann
H. V. Bell
J. L. Bradford
O. V. Brown
R. J. Cain
John Cook
A. S. Cooper
Fred Cornelius
W. P. Cropper
James S. Cruse
A. A. Demunbrun
H. L. Dixon
F. A. Easterling
J. M. Elliston
I. H. Gabbard
Lark Garnett
W. H. Hager
J. S. Hall
A. L. Hamilton
L. B. Hamilton
E. C. Hardin
B. H. Harris
David J. Howard
Joe Huddleston
A. R. Hudson
J. W. Johnson
Griffin Kelly
W. F. Klair
H. A. Knollmann
S. D. Laughlin
Joseph Lazarus
M. E. Lee
J. E. Lilly
Clarence Miller
J. T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
H. C. McGehee
H. C. McLellen
W. B. O'Bannon
A. J. Oliver
Lilburn Phelps
Luther Pieratt
Ote Piper
H. C. Rice
Avery Sartin
Joe Schneider
Claude B. Smith
T. J. Smith
Claude M. Thomas
John B. Thomas
Geo. F. Thompson
S. G. Thornberry
W. F. Trusty
J. Wood Vance
F. C. VanHoose
Geo. C. Waggoner
T. R. Welch
E. G. Young

—64

There voted in the negative—

R. T. Smith —1

Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 462. An act to require the members of the State Tax Commission and the secretary of the State Tax Commission to give separate bonds as such officers, and providing the conditions of said bonds, and fixing the amount thereof, and also providing for the payment of the premiums thereon.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That each of the members of the State Tax Commission of the Commonwealth of Kentucky, the Auditor excepted, and also the Secretary of the State Tax Commission, is hereby required to give bond with some good and solvent surety company as his surety, payable to the Commonwealth of Kentucky, and also for the use and benefit of the Commonwealth of Kentucky, and also for the use and benefit of a taxpayer who may pay or deliver to the State Tax Commission, or the secretary thereof, any money, checks, drafts or money order in due course of busines with said commission.

§ 2. That each of the said commissioners shall execute a bond provided for in section 1 hereof in the penal sum of $10,000.00, and the secretary thereof shall execute a bond in the penal sum of $500.00, and said bonds shall be in substance as follows:

We, A. B., principal, and C. D., surety, hereby covenant to and with the Commonwealth of Kentucky for the use and

benefit of the Commonwealth of Kentucky, and also for the use and benefit of any taxpayer who may pay and deliver to said A. B., as a member, or the secretary as the case may be, of said State Tax Commission of the State of Kentucky, in due course of business with said commission any money, checks, drafts, or money order, that said A. B. shall well and truly discharge the duties of said office, and pay over and account to such person as may be entitled to receive the same all money, checks, drafts or money orders that may come to his or her hands as such member, or secretary of the State Tax Commission, whether same has been received or delivered to me in payment of said taxes, or in excess of payment of said taxes, or otherwise, by virtue of said office.

§ 3. Said bond shall be attested and approved by the Governor of this state, and endorsed and lodged and kept in the office of the Secretary of State of Kentucky.

§ 4. Any action may be brought on any such covenant or bond, in the name of the Commonwealth of Kentucky, for her use and benefit, or for the benefit of any taxpayer injured by a breach of the covenant, against the parties, jointly or severally, together with the personal representative, heirs, devisees or distributees of such of them as may be dead. That recovery against the principal and surety shall not be restricted to the duties or responsibilities as belong to the office, post, trust or employment at the date of the covenant or bond, but shall include any duties or responsibilities hereafter imposed by law.

§ 5. The premiums on the bonds or covenants provided for in the foregoing sections shall be paid by the Commonwealth of Kentucky upon the amount thereof being duly approved and certified by the Governor of the Commonwealth of Kentucky to the Auditor of Public Accounts.

§ 6. The Auditor of Public Accounts shall not execute bond hereunder, but as a member of the tax commission, he shall be liable on his bond as Auditor in the same manner and

to the same extent as if the same were executed under this act.

§ 7. Whereas, the present members of the State Tax Commission, and the secretary thereof, are not now under any bond, and taxpayers are daily paying to them money due the Commonwealth of Kentucky as taxes, and the State of Kentucky, and the taxpayers thereof, are entitled to have said bonds executed as herein prescribed, an emergency is hereby declared to exist and this act shall become effective upon its approval by the Governor.

Mr. Beckham offered the following amendment to said bill, viz.:

Amend House Bill No. 462 by striking out all of section five.

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	R. J. Cain	A. A. Demunbrun
L. D. Bauldauf	T. L. Caudel	H. L. Dixon
W. T. Beckham	John Cook	W. G. Dycus
B. C. Beckmann	A. S. Cooper	F. A. Easterling
H. V. Bell	Fred Cornelius	J. M. Elliston
J. L. Bradford	James S. Cruse	I. H. Gabbard
O. V. Brown	J C. Davis	Lark Garnett

W. H. Hager	S. D. Laughlin	Joe Schneider
J. S. Hall	Joseph Lazarus	Claude B. Smith
A. L. Hamilton	Clarence Miller	R. T. Smith
L. B. Hamilton	J. T. Murphy	C. M. Thomas
B. H. Harris	Ryland C. Musick	Geo. F. Thompson
David J. Howard	A. J. McCandless	S. G. Thornberry
Joe Huddleston	W. P. McDonogh	J. Wood Vance
A. R. Hudson	H. C. McLellen	F. C. VanHoose
J. W. Johnson	W. B. O'Bannon	W. N. Winn
Griffin Kelly	Luther Pieratt	
H. A. Knollmann	Avery Sartin	—52

Those who voted in the negative were—

Chas. Ashby	J. E. Lilly	W. F. Trusty
W. F. Klair	H. C. McGehee	T. R. Welch
W. T. Lasley	A. J. Oliver	
M. E. Lee	H. C. Rice	—10

Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 422. An act authorizing the county assessor in counties containing a city of the first class to purchase an automobile.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the county assessor in counties containing a city of the first class, be, and is, authorized and empowered to purchase and maintain an automobile, to be used by said assessor and his deputies, in the performance of their official duties, the cost of the same to be paid out of the county levy.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	A. L. Hamilton	A. J. Oliver
B. S. Bailey	L. B. Hamilton	W. F. Paris
L. D. Bauldauf	E. C. Hardin	Lilburn Phelps
W. T. Beckham	B. H. Harris	Luther Pieratt
B. C. Beckmann	David J. Howard	Ote Piper
J. L. Bradford	Joe Huddleston	H. C. Rice
R. J. Cain	A. R. Hudson	Avery Sartin
John Cook	J. W. Johnson	Joe Schneider
A. S. Cooper	Griffin Kelly	R. T. Smith
Fred Cornelius	W. F. Klair	T. J. Smith
James S. Cruse	H. A. Knollmann	C. M. Thomas
J. C. Davis	S. D. Laughlin	Geo. F. Thompson
A. A. Demunbrun	Joseph Lazarus	W. F. Trusty
H. L. Dixon	Clarence Miller	J. Wood Vance
W. G. Dycus	John T. Murphy	F. C. VanHoose
F. A. Easterling	Ryland C. Musick	T. R. Welch
I. H. Gabbard	A. J. McCandless	E. G. Young
Lark Garnett	W. P. McDonogh	
W. H. Hager	H. C. McGehee	—55

Those who voted in the negative were—

O. V. Brown	Chas. L. Hunter	S. G. Thornberry
T. L. Caudel	J. E. Lilly	—5

Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 345. An act repealing and re-enacting section 4325, Kentucky Statutes, edition of 1915, relating to roads—public.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 4325, Kentucky Statutes, edition of 1915, be and the same is hereby repealed and re-enacted so as to read as follows:

Section 4325. There is created in the several counties of this State the office of county road engineer. The fiscal court of each of the counties in this State may, when the time of the engineers who are now in office expires, appoint a county road engineer, who shall be either a reputable civil engineer or a man who has had practical experience as a road supervisor or builder for two years and who shall have passed a creditable examination by the State Commissioner of Public Roads or one of his representatives.

Nothing in this section shall prevent the present county road engineers from serving the term for which they are appointed. Such county road engineers as appointed shall serve for a period of two years from and after the first day of October, 1918, and until his successor is appointed and qualified.

Vacancies in the office of county road engineer shall be filled by appointment by the fiscal court for the unexpired term. The county road engineer shall receive as a salary not less than $600.00 per annum, to be fixed by the fiscal court, which shall be paid as provided in case of other county officials.

The county surveyor of the county elected at the last preceding general election may receive such appointment;

provided he be competent as provided by this chapter, and for such services he shall receive the same compensation fixed by the fiscal court as provided in this section in lieu of all fees except such fees as are allowed by the law for his services as county surveyor.

It shall be the duty of the county clerk to give written notice to the appointees as provided in this chapter, of their appointment as soon thereafter as practicable, and each person appointed shall, within ten days after having been notified of such appointment, qualify by giving bond as the county court may direct for the faithful performance of his duties and shall also take oath to well and truly perform the duties thereof. The county road engineer shall have an office, with proper furniture and equipments, at the county seat of the county. In all counties of this State levying a road tax amounting to over $50,000, the fiscal court shall furnish the county road engineer with transportation in performing duties connected with the superintending, construction, repair and maintenance of the road in the county. To this end the fiscal court may purchase or rent teams or automobiles which may be used by the county judge or committees of the fiscal court or board of commissioners for inspection of the roads and to determine recommendations on needed work and repairs. Provided, that in counties where the fiscal court does not provide for a county road engineer, the services in this act directed to be performed by the county road engineer, except as otherwise herein provided, shall be performed by the county surveyor, or by some other person designated by the fiscal court, and for such services shall receive such compensation as the fiscal court may allow.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	E. C. Hardin	H. C. McGehee
A. S. Cooper	Joe Huddleston	Ote Piper
H. L. Dixon	J. W. Johnson	H. C. Rice
W. G. Dycus	Griffin Kelly	R. T. Smith
Lark Garnett	W. T. Lasley	T. R. Welch
J. S. Hall	Clarence Miller	

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Those who voted in the negative were—

L. D. Bauldauf	A. R. Hudson	Luther Pieratt
J. H. Ballard	Chas. L. Hunter	Avery Sartin
W. T. Beckham	W. F. Klair	Joe Schneider
B. C. Beckmann	H. A. Knollmann	Claude B. Smith
H. V. Bell	Joseph Lazarus	T. J. Smith
J. L. Bradford	M. E. Lee	C. M. Thomas
R. J. Cain	J. E. Lilly	John B. Thomas
John Cook	J. T. Murphy	S. G. Thornberry
Fred Cornelius	Ryland C. Musick	W. F. Trusty
W. P. Cropper	A. J. McCandless	J. Wood Vance
James S. Cruse	H. C. McLellen	F. C. VanHoose
J. C. Davis	W. B. O'Bannon	G. C. Waggoner
I. H. Gabbard	A. J. Oliver	G. Frank Walthal
W. H. Hager	T. P. Oliver	W. N. Winn
L. B. Hamilton	W. F. Paris	
David J. Howard	Lilburn Phelps	

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And so said bill was rejected.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 247. An act to prohibit the practice of law by corporations.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It shall be unlawful for any corporation to practice or appear as an attorney at law for any person other than itself in any court in this Commonwealth or before any judicial body or to hold itself out to the public or to advertise as being entitled to draw agreements, contracts, or other legal documents not relating to its lawful business, or to draw wills, or to practice law, or to hold itself out in any manner as being entitled to do any of the foregoing acts, whether by or through any person or persons, and whether orally or by advertisement, letter or circular; but the foregoing shall not prevent any national bank or trust company incorporated under the laws of this Commonwealth from furnishing to persons with whom it may do business, through its officers or agents, information with respect to an issue or offering for sale of stock, bonds, notes, securities or property.

§ 2. Any corporation violating the provisions of this act shall be subject to a fine of not more than one thousand dollars ($1,000.00) and the judgment of conviction shall forfeit the charter of such corporation; and every officer, agent or employe of any such corporation who, on behalf of the same, directly or indirectly, engages in any of the acts herein prohibited, or directly or indirectly assists such corporation to do such prohibited acts, shall be deemed guilty of a misdemeanor and shall be fined not more than five hundred dollars, and should said officer, agent or employe be a licensed attorney at law he shall be disbarred from the practice of law in the courts of this Commonwealth.

§ 3. This act shall not prohibit a corporation from employing an attorney or attorneys in or about its own affairs or in any litigation to which it is or may be a party.

§ 4. This act shall not apply to any public service corporation or to any corporation lawfully engaged in the examination and insuring of title to real property, or lawfully engaged in the business of insurance against liability for damages or compensation on account of injuries to persons or property, or organized for and lawfully engaged in benevolent or charitable purposes, or organized under the laws of the Commonwealth for the purpose of assisting persons without means in the pursuit of any civil remedy, nor shall it prohibit a newspaper from answering inquiries through its columns or any corporations from providing legal advice or assistance to its employees.

The Committee on Codes of Practice offered the following amendment to said bill by way of substitute therefor, viz.:

An act to prohibit the practice of law by corporations:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

It shall be unlawful for any corporation to practice or appear as an attorney at law for any person other than itself in any court in this State or before any judicial body or to make it a business to practice as an attorney at law for any person other than itself in any of said courts, or to hold itself out to the public as being entitled to practice law, or to render or furnish legal services of any kind, or to furnish attorneys or council or to render legal services of any kind in actions or proceedings of any nature or in any other way or manner or in any other manner to assume to be entitled to practice law or to assume, use or advertise the title of lawyer or attorney, attorney at law or equivalent terms in any language in such manner as to convey the impression that it is entitled to practice law or to furnish legal advice, services, or counsel or to advertise that either alone or together with or by or through any persons, whether a duly and regularly admitted attorney

at law or not, it has, owns, conducts or maintains a law office, or an office for the practice of law or for furnishing legal advice, services or counsel or for any corporation to act as executor or administrator of any will or testament drawn in violation of this act.

It shall be unlawful further for any corporation to solicit itself, of by or through its officers, agents or employees any claim or demand for the purpose of bringing an action thereon or of representing as attorney at law, or for furnishing legal advice, services or counsel to, a person sued or about to be sued, in any action or proceeding, or against whom an action or proceeding has been or is about to be brought or who may be affected by any action or proceeding which has been or may be instituted in any court or before any judicial body or for the purpose of so representing any person in the pursuit of any civil remedy.

Any corporation violating the provisions of this section shall be liable to a fine of not less than $5.00 nor more than $500.00 for each offense and every officer, trustee, director, agent, or employee of such corporation, who directly or indirectly engages in any of the acts herein prohibited, or assists such corporation to do such prohibited acts is guilty of a misdemeanor.

The fact that any such officer, trustee, director, agent or employee, shall be a duly and regularly admitted attorney at law shall not be held to permit or allow any such corporation to do the acts prohibited herein, nor shall such fact be a defense upon the trial of any of the persons mentioned herein for a violation of the provisions of this section.

Provided that this section shall not apply to any corporation lawfully engaged in the examination and insuring of titles to real property, nor shall it prohibit a corporation from employing an attorney or attorneys in and about its own immediate affairs, or in any litigation to which it is or may be a party, nor shall it apply to organizations organized for benevolent or charitable purposes, or for the purpose of as-

sisting persons without means in the pursuit of any civil remedy, whose existence, organization, or incorporation may be approved by the Court of Appeals.

Said amendment by way of substitute therefor was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended by way of substitute therefor, was passed.

The yeas and unays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	E. C. Hardin	H. C. McGehee
B. S. Bailey	B. H. Harris	H. C. McLellen
L. D. Bauldauf	David J. Howard	W. B. O'Bannon
J. H. Ballard	Joe Huddleston	T. P. Oliver
W. T. Beckham	A. R. Hudson	W. F. Paris
B. C. Beckmann	Chas. L. Hunter	Lilburn Phelps
H. V. Bell	J. W. Johnson	Luther Pieratt
O. V. Brown	Leslie P. Jones	Ote Piper
R. J. Cain	W. F. Klair	H. C. Rice
John Cook	H. A. Knollmann	Avery Sartin
A. S. Cooper	W. T. Lasley	Joe Schneider
W. P. Cropper	S. D. Laughlin	R. T. Smith
J. C. Davis	Joseph Lazarus	T. J. Smith
A. A. Demunbrun	M. E. Lee	C. M. Thomas
H. L. Dixon	J. E. Lilly	J. Wood Vance
W. G. Dycus	Clarence Miller	F. C. VanHoose
J. M. Elliston	J. T. Murphy	G. Frank Walthal
I. H. Gabbard	Ryland C. Musick	T. R. Welch
W. H. Hager	A. J. McCandless	W. N. Winn
L. B. Hamilton	W. P. McDonogh	E. G. Young

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Resolved, that the title thereof be as amended.

Mr. Klair, of the Committee on Rules, moved that the rules be suspended.

Said motion was agreed to.

Mr. Klair moved that all Senate bills reported to the House today from the Senate be given their first reading and placed in the calendar.

Said motion was agreed to.

Whereupon Senate Bills numbered 326, 321, 316, 329, 317, 318, 324, 97, 132, 141, 190, 282, 273, 306, 330, 80 and 250 were severally read at length the first time and ordered to be placed in the calendar.

Mr. Klair moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

SATURDAY, MARCH 16, 1918.

The House was opened with prayer by the Rev. John J. Gravitt, pastor of the Episcopal Chuerh, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum the call resulted as follows, viz.:

Chas. Ashby	J. L. Bradford	John Cook
J. H. Ballard	O. V. Brown	A. S. Cooper
B. C. Beckmann	R. J. Cain	James S. Cruse
H. V. Bell	T. L. Caudel	J. C. Davis
W. P. Bowman	H. C. Chappell	A. A. Demunbrun

H. Lawrence Dixon	S. D. Laughlin	Avery Sartin
F. A. Easterling	M. E. Lee	Joe Schneider
I. H. Gabbard	J. E. Lilly	Claude B. Smith
Lark Garnett	Clarence Miller	R. T. Smith
W. H. Hager	John T. Murphy	T. J. Smith
A. L. Hamilton	Ryland C. Musick	Thomas Spurrier
L. B. Hamilton	A. J. McCandless	Ben Street
E. C. Hardin	W. P. McDonogh	John W. Swope
B. H. Harris	H. C. McGehee	C. M. Thomas
David J. Howard	S. Lee McGohan	J. B. Thomas
Joe Huddleston	H. C. McLellen	Geo. F. Thompson
A. R. Hudson	W. B. O'Bannon	W. F. Trusty
Chas. L. Hunter	A. J. Oliver	F. C. VanHoose
J. W. Johnson	T. P. Oliver	Geo. C. Waggoner
Leslie P. Jones	W. F. Paris	G. Frank Walthal
W. H. Jones	Luther Pieratt	T. R. Welch
Griffin Kelly	Richard Radcliffe	W. N. Winn
W. F. Klair	H. C. Rice	E. G. Young
H. A. Knollmann	Lewis Ryans	—71

On motion of Mr. L. B. Hamilton the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

Mr. Hardin, of the Committee on Rules, called up for consideration the special order of the day set for this hour, namely, a bill entitled:

H. B. 262. An act to locate a part of the state line between the states of Kentucky and Virginia, and to provide a commission to establish and mark said line, which is now and for a long period of time has been in dispute.

Said bill reads as follows, viz.:

Whereas, an act of December 12th, 1799, approved the report of commissioners theretofore appointed, and thereby established the line between Kentucky and Virginia, as is set out

fully in section 187, Kentucky Statutes, 1915 edition (2 Littell 276), and said established boundary has since said time and now is recognized as the proper boundary; but,

Whereas, there appears to be insufficient or no marking and there is much uncertainty, leading to disputes and disagreements as to the true location of so much of said boundary as is described in said act of 1799, as follows, to-wit: Part of the said boundary from the point where it leaves the top or highest part of said (Cumberland) mountains.

"Crossing the road leading over the same at the Little Paint Gap, where by some it is called the Hollow Mountain, and where it terminates at the West Forks of Sandy, commonly called Russell's Fork; thence with a line to be run north 45 degrees east, till it intersects the other great principal branch of Sandy, commonly called the northeastwardly branch, . . ." and it is deemed wise, expedient and proper that that part of said boundary above described be with certainty located and well marked by appropriate stones or monuments; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Stoney Amick, Frank Haynes and J. A. Baldwin, reputable citizens of Pike county, Kentucky, J. H. Blair and I. N. Lewis, reputable citizens of Letcher county, Kentucky, be, and they are, designated and appointed commissioners for and on behalf of the Commonwealth of Kentucky, any three of whom may act, and whose acts shall be valid and binding, to, as soon as practicable, locate and mark with suitable and lasting stones or monuments the said part of said state line or boundary between Kentucky and Virginia as above set out, but the said commissioners herein appointed shall not act, or do anything by reason of this law unless and until a like commission shall have been commissioned and appointed by appropriate enactment of the General Assembly or Legislature of the State of Virginia.

Should this act become a law and a like law be enacted by the General Assembly or Legislature of Virginia, then the commissioners herein appointed shall act in concert, co-operation and conjunction with the commissioners for the state of Virginia, when appointed, in going upon, locating, establishing and properly marking said uncertain and disputed boundary as above described, and when said commissioners have established and marked said boundary and reported on same as hereinafter required, the said boundary thus established and marked shall, for all purposes, be the true and correct boundary line between the aforementioned states.

§ 2. When said commissioners have completed their labors as herein provided, they shall file copies, executed under oath of their findings, to the Secretaries of State of Virginia and Kentucky, respectively; to the county court clerks of Buchanan and Dickerson counties, Virginia, and Pike and Letcher counties, Kentucky, and said copies of said findings shall be recorded in the current deed books of the county clerks, and in appropriate record book of the office of Secretary of State.

§ 3. The per diem and all other expenses of the commission herein appointed shall be paid out of any moneys in the state treasury, not otherwise appropriated, but said expenses in no event shall exceed in the aggregate one thousand dollars, and shall be paid by the State Treasurer, upon warrants issued therefor by the State Auditor, when such claims be presented to the Auditor when allowed and certified by the judge of the circuit court of the circuit in which the counties involved lie.

§ 4. Each commissioner appointed herein shall receive a per diem of six dollars for each day actually engaged in carrying out the provisions of this act, and reasonable traveling and necessary hotel expenses, and no commissioner shall receive per diem and expenses for more than sixty days' service.

§ 5. In the event the persons herein named shall fail or refuse to act, or should a vacancy occur after appointment of

the commission, then in either event the Governor shall appoint a discreet and reliable citizen of the county and residence of the one failing to qualify or causing the vacancy, and such when appointed shall have all the power, authority and emoluments conferred by this act.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	F. A. Easterling	John T. Murphy
B. S. Bailey	L. L. Embry	Ryland C. Musick
L. D. Bauldauf	I. H. Gabbard	A. J. McCandless
J. H. Ballard	Lark Garnett	W. P. McDonogh
W. T. Beckham	W. H. Hager	H. C. McGehee
B. C. Beckmann	J. S. Hall	S. Lee McGohan
W. P. Bowman	A. L. Hamilton	H. C. McLellen
J. L. Bradford	E. C. Hardin	W. B. O'Bannon
O. V. Brown	B. H. Harris	A. J. Oliver
R. J. Cain	David J. Howard	T. P. Oliver
T. L. Caudel	Joe Huddleston	W. F. Paris
John Cook	A. R. Hudson	Lilburn Phelps
A. S. Cooper	J. W. Johnson	Luther Pieratt
Fred Cornelius	Leslie P. Jones	Ote Piper
W. P. Cropper	W. H. Jones	Richard Radcliffe
James S. Cruse	Griffin Kelly	Avery Sartin
J. C. Davis	H. A. Knollman	Claude B. Smith
A. A. Demunbrun	Joseph Lazarus	R. T. Smith
H. Lawrence Dixon	J. E. Lilly	T. J. Smith
W. G. Dycus	Clarence Miller	John W. Swope

C. M. Thomas	F. C. VanHoose	W. N. Winn
J. B. Thomas	Geo. C. Waggoner	E. G. Young
G. F. Thompson	G. F. Walthal	
W. F. Trusty	T. R. Welch	—70

Resolved, that the title thereof be as aforesaid.

The House then took up for consideration the special order set to follow the conclusion of the consideration of House Bill No. 262, which special order is entitled:

H. B. 265. An act to pension worthy blind persons.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the fiscal court or county commissioners of each of the counties of the state shall levy, collect and disburse such sums of money from the general funds of their county as may be necessary to comply with the provisions of this act.

That each county shall contribute toward the support of the worthy blind adults in the county, the sum of $150.00 per annum, each as herein provided, said sum to be known as a blind man's pension and payable quarterly in equal installments due in the months of February, May, August and November, on the first day thereof.

That before any person shall be entitled to the benefits of this act, such person must have resided continuously in the state of Kentucky for not less than five years and in the county of their residence not less than one year next before application is made. Such worthy blind person may, thereafter, in the month of June, not later than the fifteenth day thereof, file his written application for a blind man's pension in the office of the county clerk of the county of his or her residence, which application shall be sworn to and accompanied by the

affidavit of at least one distinterested housekeeper resident of the county, in support of the facts stated in the application. Upon the filing of the application, it shall be the duty of the county clerk of the county with whom such application shall have been filed to cause the fact to be published in some paper of general circulation in the county where application is made; said clerk shall thereafter, without delay, certify to the county or city physician nearest the address of the applicant the name or names and the address of the applicant. It shall thereafter become and be the duty of the said physician to notify the applicant of the time and place where he will diligently examine the eyes of the applicant, and upon the margin of his or her application note the facts concerning the condition of his or her eyesight, and if in his opinion it is necessary, he, the examining physician, may consult other physicians concerning conditions to determine whether the applicant is destitute of useful vision, and if it is so found, same shall be noted on the margin of the application. The examining physician shall thereupon, without delay, return the application with notations to the office of the county clerk and in those cases where it is determined that the applicant is deprived of the useful vision, said clerk shall so certify to the county judge of his county for approval; such judge may, in his discretion, hear evidence of competent witnesses to any disputed facts, and if such application is so approved, said judge shall make the necessary order on the records of his court directing the county clerk of the county to add the name of such applicant to the list of worthy blind and further direct the county treasurer to pay to such applicant the sum herein specified.

That no person shall be entitled to the pension herein provided, who, by manual labor, or by his or her skill or knowledge in any profession, trade or craft, is able to earn any sum in excess of $400.00 (dollars) per annum, or who receives a pension from the United States or any state or foreign government or from any other source which when added

to his earnings will exceed the sum of $400.00, or who posseses property to the value of $2,500.00 or more, or who has an income from any source in excess of $400.00 (dollars) per annum, or who is an inmate of any state or charitable institution within this state or any other state as determined by the county judge to whom such application has been referred by the examining physician as above provided.

That an emergency is hereby declared to exist and that this act be in force from and after its passage and approval.

Mr. Gabbard offered the following amendment to said bill, viz.:

Amend House Bill No. 295 by striking out the words "$150.00," in line six, and substituting therefor the words "$75.00."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	J. L. Bradford	F. A. Easterling
B. S. Bailey	O. V. Brown	L. L. Embry
A. L. Baldwin	R. J. Cain	I. H. Gabbard
W. T. Beckham	T. L. Caudel	Lark Garnett
B. C. Beckmann	John Cook	M. E. Gilbert
H. V. Bell	A. S. Cooper	J. S. Hall
W. P. Bowman	A. A. Demunbrun	E. C. Hardin

B. H. Harris	J. T. Murphy	R. T. Smith
Joe Huddleston	Ryland C. Musick	T. J. Smith
J. W. Johnson	A. J. McCandless	Ben Street
Leslie P. Jones	W. P. McDonogh	G. F. Thompson
W. H. Jones	H. C. McGehee	J. T. Thornton
Griffin Kelly	S. Lee McGohan	J. Wood Vance
H. A. Knollman	W. F. Paris	F. C. VanHoose
S. D. Laughlin	Lilburn Phelps	G. C. Waggoner
Joseph Lazarus	Lewis Ryans	W. N. Winn
J. E. Lilly	Avery Sartin	
Clarence Miller	Joe Schneider	—52

Those who voted in the negative were—

W. P. Cropper	David J. Howard	John W. Swope
W. H. Hager	W. B. O'Bannon	G. F. Walthal
L. B. Hamilton	Claude B. Smith	—8

Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the calendar bills of the following titles, viz.:

S. B. 244. An act to repeal and re-enact chapter 67 of the Acts of the General Assembly of 1910, relating to courts of justice.

S. B. 245. An act to amend section 227 of the Constitution of the Commonwealth relating to the removal of officers for misfeasance, malfeasance or neglect of duty.

S. B. 184. An act to amend and re-enact subsection 1, section 4780-A, chapter 133, of Kentucky Statutes, relating to oil warehouses.

S. B. 87. An act to amend subsection 19 of section 1550 of the Kentucky Statutes, relative to primary elections.

S. B. 193. An act authorizing the State Board of Education to issue certificates to teach to students of educational

institutions not supported by State funds within the State of Kentucky, creating a board of regents to inspect normal schools for determining what institutions are entitled to such privileges; defining the conditions under which such privileges shall be granted; and repealing all laws or parts of laws in conflict therewith.

S. B. 155. An act to prevent idleness in the Commonwealth of Kentucky during the continuance of the war in which the United States is now engaged, and prescribing the duties of civil and police officers of the State.

The constitutional provision as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their titles and ordered to be placed in the orders of the day.

Mr. Hardin, of the Committee on Rules, called up for consideration a resolution of the following title, viz.:

H. Res. 38. Resolution to provide money for payment of bill for Red Cross flag.

(For said resolution see House Journal March 15, 1918.)

Mr. Hardin moved that said resolution be adopted.

The yeas and nays being taken on the adoption of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	T. L. Caudel	F. A. Easterling
L. D. Bauldauf	A. S. Cooper	J. M. Elliston
A. L. Baldwin	W. P. Cropper	I. H. Gabbard
B. C. Beckmann	James S. Cruse	Lark Garnett
T. L. Bradford	W. G. Dycus	W. H. Hager

A. L. Hamilton	John T. Murphy	T. J. Smith
E. C. Hardin	Ryland C. Musick	Ben Street
B. H. Harris	W. P. McDonogh	John W. Swope
Joe Huddleston	H. C. McGehee	C. M. Thomas
A. R. Hudson	W. B. O'Bannon	John B. Thomas
Chas. L. Hunter	T. P. Oliver	J. T. Thornton
J. W. Johnson	W. F. Paris	S. G. Thornberry
Leslie P. Jones	Lilburn Phelps	J. Wood Vance
W. H. Jones	Ote Piper	F. C. VanHoose
Griffin Kelly	Richard Radcliffe	G. Frank Walthal
H. A. Knollmann	Lewis Ryans	W. N. Winn
Joseph Lazarus	Joe Schneider	E. G. Young
J. E. Lilly	Claude B. Smith	
Clarence Miller	R. T. Smith	—55

There voted in the negative—

H. Lawrence Dixon —1

And so said resolution was adopted.

Mr. Hardin, of the Committee on Rules, reported the following resolution, viz.:

H. Res. 39. Resolution providing for help for the Enrolling Clerks of the House and Senate.

Said resolution reads as follows, viz.:

Wheras, it will necessitate the employment of additional aid by the Enrolling Clerks of the House and Senate in order to expedite the business; now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Enrolling Clerks of the House and Senate are authorized and directed to employ all necessary assistance who shall be entitled to twenty-five cents per page

for all bills enrolled by them and the clerks of the House and Senate are directed to issue their vouchers to the Auditor of Public Accounts who shall draw his warrant in their favor, for amounts certified by the respective clerks on itemized accounts rendered. Said amounts shall not include any charge by either of the Enrolling Clerks of the House or Senate for any work done by them.

§ 2. It being necessary to have the work herein provided for done at once, and the officers charged with the duty are not able to perform the volume of work personally, an emergency is declared and this resolution become in force and effect upon its adoption.

Mr. Hardin moved that said resolution be adopted.

The yeas and nays being taken on the adoption of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	J. W. Johnson	Richard Radcliffe
B. S. Bailey	W. H. Jones	Lewis Ryans
A. L. Baldwin	Griffin Kelly	Joe Schneider
B. C. Beckmann	W. F. Klair	Claude B. Smith
J. L. Bradford	H. A. Knollman	R. T. Smith
R. J. Cain	Joseph Lazarus	T. J. Smith
T. L. Caudel	J. E. Lilly	Ben Street
W. P. Cropper	Clarence Miller	C. M. Thomas
A. A. Demunbrun	John T. Murphy	J. B. Thomas
W. G. Dycus	Ryland C. Musick	G. F. Thompson
Lark Garnett	W. P. McDonogh	J. T. Thornton
A. L. Hamilton	H. C. McGehee	W. F. Trusty
L. B. Hamilton	S. Lee McGohan	J. Wood Vance
E. C. Hardin	A. J. Oliver	F. C. VanHoose
Joe Huddleston	W. F. Paris	Geo. C. Waggoner
A. R. Hudson	Lilburn Phelps	W. N. Winn
Chas. L. Hunter	Luther Pieratt	E. G. Young

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There voted in the negative—

A. J. McCandless —1

And so said resolution was adopted.

Mr. Hardin, of the Committee on Rules, called up for consideration from the orders of the day the following bills in the following order:

The House took up for consideration from the orders of the day a bill entitled:

H. B. 273. An act to amend and re-enact section 20 of chapter 17, acts of 1916, said act being entitled: An act for the prevention of pools, trusts, conspiracies and combinations in restraint of trade, and to define same and to prescribe penalties and provide methods for the infliction thereof.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 20, of chapter 17, acts of the General Assembly, be amended by striking therefrom the words "or not," in the third line of said section, and inserting in lieu thereof the words "unless such organization or association be," and that said section as amended be and the same is now re-enacted so as to read:

"Section 20. The provisions of this act shall not apply to any organization or association having no capital stock, unless such organization or association be engaged in the business of mining, manufacturing or transporting any article or commodity."

§ 2. The aforesaid section as originally enacted being of uncertain meaning and effect, and there being at this time a need for the effectiveness and enforcement of the entire law,

an emergency is declared to exist and this act shall take effect as soon as passed and approved.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	J. S. Hall	T. P. Oliver
B. S. Bailey	A. L. Hamilton	W. F. Paris
L. D. Bauldauf	L. B. Hamilton	Lilburn Phelps
W. P. Bowman	E. C. Hardin	Lewis Ryans
J. L. Bradford	David J. Howard	Avery Sartin
O. V. Brown	Joe Huddleston	Joe Schneider
R. J. Cain	A. R. Hudson	Claude B. Smith
H. C. Chappell	J. W. Johnson	R. T. Smith
John Cook	Leslie P. Jones	T. J. Smith
A. S. Cooper	W. H. Jones	Ben Street
Fred Cornelius	Griffin Kelly	John W. Swope
W. P. Cropper	H. A. Knollman	John B. Thomas
A. A. Demunbrun	W. T. Lasley	Geo. F. Thompson
H. L. Dixon	S. D. Laughlin	J. T. Thornton
W. G. Dycus	Joseph Lazarus	S. G. Thornberry
F. A. Easterling	J. E. Lilly	J. Wood Vance
J. M. Elliston	Clarence Miller	F. C. VanHoose
L. L. Embry	John T. Murphy	G. F. Walthal
I. H. Gabbard	Ryland C. Musick	W. N. Winn
Lark Garnett	W. P. McDonogh	E. G. Young
M. E. Gilbert	H. C. McGehee	
W. H. Hager	W. B. O'Bannon	—64

Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill of the following title:

H. B. 323. An act to authorize the Board of Prison Commissioners to appoint a Superintendent of State Reformatory Farms, at a salary of $1,500.00 per annum, who shall be a bonded officer and submit monthly and yearly a record of all transactions, approved by the warden of the State Reformatory, for the consideration of the board. The large increase in values and the volume of business in this department makes it advisable to have a bonded officer in charge of all receipts and expenditures.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

The Board of Prison Commissioners is hereby authorized to appoint a Superintendent of the State Reformatory Prison Farms who shall hold his office at the pleasure of the board, at a salary of $1,500.00 per annuam, who shall file a bond of $6,000.00 for the faithful performance of his duties, and who shall be in charge of all farming operations, make sales of stock and crops and purchase all stock and equipment used on the farms, under the supervision of the board and the warden of the State Reformatory. The superintendent shall make his home upon the prison farm, and keep a set of books showing all transactions pertaining to the business of said farm, and at the end of each and every month, shall file with the Board of Prison Commissioners a complete statement, approved by the warden, of all receipts and disbursements and an inventory of all stock, implements and crops that may be upon the prison farm, and shall file an annual report of same on June 30th of each year.

Mr. L. B. Hamilton offered the following amendment to said bill, viz.:

Amend House Bill No. 323, in line three, by striking out $1,500.00 and inserting $1,000.00 in line three.

Mr. Vance moved that said bill and pending amendments be laid on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 85. An act relating to revenue and taxation and amending section 4148, chapter 108 of the Kentucky Statutes, Carroll's edition, article VII, providing when State, county and district taxes shall be due and payable and providing for interest and penalty as they shall become due.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 4148, of chapter 108, article VIII, Kentucky Statutes, Carroll's edition, which now reads as follows:

All State, county and district taxes, except as otherwise specially provided shall be due and payable on and after the first day of March, after the assessment, and all taxpayers whose taxes are not paid on the first day of December, after the same are due, shall be deemed delinquent and such taxes shall bear interest at the rate of six per cent per annum from the first day of December after they are due until paid; and any person or persons failing to pay their taxes by the first day of December in the year following the assessment for such taxes, shall pay a penalty of six per centum addition on the taxes due and unpaid. The sheriff or collector whose duty it is to receive or collect the taxes shall collect the interest and penalty and account for the same in the same way in which they are required to collect and account for the taxes,

Be and it is hereby amended by striking out the words first day of December and inserting the words thirty-first day of December, so that said section as amended shall read as follows:

All State, county and district taxes, except as otherwise specially provided, shall be due and payable on and after the first day of March after the assessment, and all taxpayers whose taxes are not paid on the thirty-first day of December after the same are due shall be deemed delinquent, and such taxes shall bear interest at the rate of six per cent. per annum from the thirty-first day of December, after they are due until paid; and any person or persons failing to pay their taxes by the thirty-first day of December in the year following the assessment for such taxes, shall pay a penalty of six per centum additional on the taxes due and unpaid. The sheriff or collector whose duty it is to receive or collect the taxes shall collect the interest and penalty and account for the same in the same way in which they are required to collect and account for the taxes.

The Committee on Revenue and Taxation offered the following amendment to said bill by way of substitute therefor, viz.:

An act to amend and re-enact sections 4143, 4147, 4148 and 4135, Kentucky Statutes, edition 1915, relating to the time in which taxes shall be paid; the settlement of sheriffs, and the duty of the sheriff as tax collector after the expiration of his term of office as sheriff.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 4148, Kentucky Statutes, be amended and re-enacted so that it will read as follows:

All State, county and district taxes, except as otherwise specifically provided, shall be due and payable on and after

the first day of March after the assessment, and all taxpayers whose taxes are not paid on the thirty-first day of December after the same are due shall be deemed delinquent, and such taxes shall bear interest at the rate of six per centum per annum from the thirty-first day of December after they are due until paid; and any person or persons failing to pay their taxes by the thirty-first day of December in the year following the assessment for such taxes shall pay a penalty of six per centum additional on the taxes due and unpaid. The sheriff or collector whose duty it is to receive or collect the taxes shall collect the interest and penalty and account for the same in the same way in which he is required to collect and account for the taxes.

§ 2. That section 4143, Kentucky Statutes, be amended and re-enacted so that it will read as follows:

The sheriff or collector of the State revenue in each county of this Commonwealth shall, on the first day of May, June, August, September, October, November, December and January, under oath, report to the Auditor of Public Accounts the amount of all taxes he has collected and pay the same immediately, and shall account for and pay all taxes which he has collected for the State into the State Treasury by the first day of January in each year; and upon his failure to do so he and his sureties shall be liable therefor, and shall be proceeded against at the first term thereafter of the Franklin circuit court. Any sheriff or collector who shall fail to report as herein required shall be liable to indictment in the Franklin circuit court, and fined not less than one hundred dollars nor more than five hundred dollars for each offense, and it shall be the duty of the Auditor of Public Accounts to report to the grand jury of Franklin county at the next term of said court after such failure to report, the name of such sheriff or collector so failing to report. The sheriff or collector shall be required by the Auditor of Public Accounts to pay a penalty of six per centum on all taxes collected and unpaid by him on the thirty-first day of January in each year.

The Auditor of Public Accounts, in his settlement with the sheriff or collector, shall charge him with the penalties accruing under the provisions of this act.

§ 3. That section 4147, Kentucky Statutes, be amended and re-enacted so that same will read as follows:

The sheriff or collector of the State and county revenue of the Commonwealth shall, on the first day of May, June, July, August, September, October, November, December and January in each year report, under oath, to the county court of his county the amount of State and county taxes he has collected, together with all fines, forfeitures or money, or any other account that shall have been collected or received by him, showing in said report the amount collected for and belonging to each fund for which such revenue or money may be intended, and the disposition of such revenue or money collected by him. Said report shall be filed and recorded in a separate book furnished by the county clerk for that purpose, which shall be open for inspection in the office of the county clerk. Any sheriff or collector who shall fail to report as herein required shall be liable to indictment in the county of his residence, and fined not less than one hundred dollars nor more than five hundred dollars for each offense.

§ 4. That section 4135, Kentucky Statutes, be amended and re-enacted so that it will read as follows:

The out-going sheriff, as soon as his successor has been qualified and his bond approved, shall immediately vacate his office as sheriff and deliver to his successor all books, papers, records and other property held by virtue of his office as sheriff and shall make a full and complete settlement of all his accounts as sheriff, but the out-going sheriff shall not be required to settle his accounts as a collector of State, county and district revenues until the time now provided by law for the sheriff acting as collector to make settlement in other years. The out-going sheriff, as collector of State, county and district revenues, shall have the power to collect all taxes which became due during his term of office as sheriff, or that

may be thereafter certified to him, and his power shall continue until the first day of March following. He shall have office room in the sheriff's office until March first following the expiration of his term of office as sheriff. On the failure of any outgoing sheriff for ten days to comply with the provisions of this section, he shall be deemed guilty of a misdemeanor, and, upon conviction, be fined not less than fifty nor more than five hundred dollars and be liable on his bond for any default.

Said amendment by way of substitute was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended by way of substitute therefor, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	James S. Cruse	B. H. Harris
L. D. Bauldauf	A. A. Demunbrun	Joe Huddleston
W. T. Beckham	H. Lawrence Dixon	A. R. Hudson
B. C. Beckmann	W. G. Dycus	Chas. L. Hunter
H. V. Bell	J. M. Elliston	J. W. Johnson
J. L. Bradford	L. L. Embry	Leslie P. Jones
R. J. Cain	Lark Garnett	W. H. Jones
T. L. Caudel	M. E. Gilbert	Griffin Kelly
H. C. Chappell	W. H. Hager	H. A. Knollman
John Cook	J. S. Hall	W. T. Lasley
A. S. Cooper	A. L. Hamilton	S. D. Laughlin
Fred Cornelius	L. B. Hamilton	Joseph Lazarus
W. P. Cropper	E. C. Hardin	J. E. Lilly

Clarence Miller	Luther Pieratt	J. B. Thomas
John T. Murphy	Ote Piper	G. F. Thompson
Ryland C. Musick	H. C. Rice	J. T. Thornton
A. J. McCandless	Lewis Ryans	S. G. Thornberry
H. C. McGehee	Avery Sartin	J. Wood Vance
W. B. O'Bannon	Joe Schneider	F. C. VanHoose
A. J. Oliver	R. T. Smith	G. C. Waggoner
T. P. Oliver	T. J. Smith	G. F. Walthal
W. F. Paris	Ben Street	T. R. Welch
Lilburn Phelps	John W. Swope	W. N. Winn

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Those who voted in the negative were—

David J. Howard M. E. Lee

—2

Resolved, that the title thereof be as amended.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 380. An act to amend and re-enact section 30 of chapter 1 of the acts of the extraordinary session of the General Assembly of 1917; and also to repeal and re-enact section 4239d of the Kentucky Statutes, edition 1915, relating to the duties and compensation of the county clerk in making certification of tax books, making out tax bills and recapitulation sheets.

Said bill reads as follows, viz.:

Be it enacted by the General Asembly of the Commonwealth of Kentucky:

§ 1. That section 30 of chapter 1 of the acts of the extraordinary session of the General Assembly of 1917, and section 4239d of the Kentucky Statutes, edition 1915, be amended and re-enacted so that the two sections together as amended will read as follows:

The clerk shall certify to the county court the approval of the tax books, and the county court shall enter the fact of record; also the amount due to supervisors for their services. On a presentation of a copy of the order the Auditor shall draw his warrant on the Treasurer in favor of the assessor for the portion of his claims, as provided by law, and the amount due the supervisors and clerks for their services. For making out the tax bills the clerk shall be allowed the sum of seven cents for each tax bill so made out for the sheriff or collector. For making said recapitulation sheets as provided by law, and recording same in the tax books, he shall be allowed ten cents a line for each line across the page, including the last total value. For making out said tax bill for the sheriff in case of omitted assessment, the clerk shall be allowed the sum of fifty cents for each tax bill, but the clerk shall not be paid any part of his compensation by the State where the taxpayer does not assess any property subject to taxation for State purposes.

Mr. Kelly offered the following amendments to said bill, viz.:

Amend House Bill No. 380 by adding after line nineteen the words: "Provided that this act shall affect counties containing cities of the second class only."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title, and as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	Lark Garnett	H. C. McLellen
B. S. Bailey	W. H. Hager	W. B. O'Bannon
L. D. Bauldauf	J. S. Hall	A. J. Oliver
A. L. Baldwin	A. L. Hamilton	W. F. Paris
W. T. Beckham	L. B. Hamilton	Lilburn Phelps
B. C. Beckmann	Joe Huddleston	Luther Pieratt
H. V. Bell	Chas. L. Hunter	Lewis Ryans
W. P. Bowman	J. W. Johnson	Joe Schneider
O. V. Brown	Leslie P. Jones	Claude B. Smith
R. J. Cain	W. H. Jones	Ben Street
T. L. Caudel	Griffin Kelly	John W. Swope
H. C. Chappell	H. A. Knollman	G. F. Thompson
John Cook	J. E. Lilly	J. T. Thornton
A. S. Cooper	Clarence Miller	F. C. VanHoose
W. P. Cropper	Ryland C. Musick	G. C. Waggoner
James S. Cruse	A. J. McCandless	G. F. Walthal
H. Lawrence Dixon	W P. McDonogh	T. R. Welch
F. A. Easterling	H. C. McGehee	E. G. Young
I. H. Gabbard	S. Lee McGohan	—56

Those who voted in the negative were—

W. T. Lasley	H. C. Rice	J. Wood Vance
S. D. Laughlin	R. T. Smith	S. G. Thornberry
Ote Piper		—7

Resolved, that the title thereof be as aforesaid.

Mr. Hardin moved that the session of today be extended indefinitely.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 459. An act to amend and re-enact sections 1697 and 1702, Kentucky Statutes, edition 1915, relating to ex-

emptions of property from sale under execution, attachment, distress or fee bill.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 1697, Kentucky Statutes, be amended and re-enacted so that it will read as follows:

Property of a person with a family resident in this Commonwealth shall be exempt from execution, attachment, distress or fee bill as follows: household and kitchen furniture, family wearing apparel, provisions actually on hand for family use, not to exceed in value, however, the sum of two hundred and fifty dollars. There shall also be exempt salary, wages or income of a person with a family, where such family is actually dependent upon such salary, wages or income for support, to the extent of fifty dollars per month. All other personal property, salary, wages or income of any person with a family shall be subject to execution, attachment, distress or fee bill.

§ 2. That section 1702, Kentucky Statutes, be amended and re-enacted so that same will read as follows:

In addition to the personal property exempted, there shall also be exempt from sale under execution, attachment or judgment, except to foreclose a mortgage given by the owner of a homestead, or for purchase money due therefor, so much of the lands, including the dwelling house and appurtenances owned by debtors who are actually *bona fide* housekeepers with a family resident in this Commonwealth, as shall not exceed in value two hundred and fifty dollars, but this exemption shall not apply to sales under execution, attachment or judgment if the debt or liability existed prior to the purchase of the land or the erection of the improvements thereon.

§ 3. All laws and parts of laws in conflict with this act are hereby repealed.

Mr. McDonogh offered the following amendment to said bill, viz.:

Amend House Bill No. 459, line 9, by striking therefrom the words "to the extent of fifty dollars per month," and inserting in lieu thereof the following:

"Ninety per centum of the salary, wages or income earned by labor, or every person earning a salary, wage or income of fifty dollars or less per month; of every person earning a salary, wage or income in excess of fifty dollars per month; forty-five dollars per month and no more shall be exempt."

Amend section three by striking out all of said section and inserting in lieu thereof "Section 1701, Kentucky Statutes, is hereby repealed."

Said amendment was adopted.

Mr. Musick moved that said bill and amendments be laid on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 467. An act authorizing the capital stock of national banks to be taken as security on bonds of said banks as trustee, executor, administrator or registrar of stocks and bonds.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That whenever any national bank of this state is authorized to act as trustee, executor, administrator or registrar of stocks and bonds, that upon all bonds required to be executed by such banks in or before any court, the capital stock of such bank shall be taken and considered the only security required for the faithful performance of its duty; and no other security shall be required unless the court or officer in and before whom the bond is executed or some party in interest demand it.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the pasage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby
L. D. Baldauf
A. L. Baldwin
B. C. Beckmann
H. V. Bell
W. P. Bowman
J. L. Bradford
O. V. Brown
R. J. Cain
T. L. Caudel
H. C. Chappell
John Cook
A. S. Cooper
Fred Cornelius
W. P. Cropper
James S. Cruse
H. Lawrence Dixon
W. G. Dycus
F. A. Easterling
J. M. Elliston
I. H. Gabbard
Lark Garnett
M. E. Gilbert
J. S. Hall
L. B. Hamilton
A. R. Hudson
J. W. Johnson
Leslie P. Jones
W. H. Jones
Griffin Kelly
H. A. Knollman
S. D. Laughlin
Joseph Lazarus
J. E. Lilly
Clarence Miller
John T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh

H. C. McGehee	H. C. Rice	John B. Thomas
H. C. McLellen	Joe Schneider	W. F. Trusty
W. B. O'Bannon	Claude B. Smith	F. C. VanHoose
A. J. Oliver	R. T. Smith	G. F. Walthal
W. F. Paris	Thomas Spurrier	W. N. Winn
Luther Pieratt	Ben Street	E. G. Young
Ote Piper	John W. Swope	

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Those who voted in the negative were—

B. S. Bailey	Joe Huddleston	S. G. Thornberry
W. H. Hager	Lilburn Phelps	
David J. Howard	Avery Sartin	

—7

Resolved, that the title thereof be as aforesaid.

Mr. Hardin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 285. An act making it unlawful to own, keep or have in one's possession a pistol, without a license, and with certain exceptions, and providing penalty and means of issual of license.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any person who shall own, keep or have in his possession a pistol, a deadly weapon, unless licensed so to do, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than fifty nor more than one hundred

dollars and imprisonment in the county jail for not less than ten nor more than forty days, or both so fined and imprisoned, in the discretion of the court or jury trying the case. Provided, that this act shall not apply to officers mentioned in section 1313, Kentucky Statutes, or elsewhere authorized by law, nor shall it be construed to prevent a *bona fide* housekeeper to own or keep upon his premises a pistol.

§ 2. An indictment may charge the offense of carrying concealed a pistol, a deadly weapon, upon or about the person, and also the offense denounced herein, and the person so charged may be convicted of either or both offenses, as the facts warrant.

§ 3. The license referred to herein shall be issued by the clerk of the county court of any county, but shall only be granted upon satisfactory proof of the good character of the applicant and the payment of a license fee of five dollars, and a further fee of one dollar and fifty cents to the clerk for making out and keeping a record of such license. All license shall be dated when issued and shall authorize the person named to own, keep or have in his possession a pistol, but not concealed upon or about his person, in the county where the license was issued during the calendar year of issue, but not longer than the first day of January, next ensuing.

§ 4. The clerk shall issue, report and account for all license fees as required by section 4224 of Kentucky Statutes.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	B. H. Harris	H. C. Rice
B. S. Bailey	Joe Huddleston	Avery Sartin
L. D. Baldauf	A. R. Hudson	Joe Schneider
B. C. Beckmann	Leslie P. Jones	Claude B. Smith
H. V. Bell	W. H. Jones	R. T. Smith
W. P. Bowman	H. A. Knollman	T. J. Smith
R. J. Cain	S. D. Laughlin	Thomas Spurrier
T. L. Caudel	Joseph Lazarus	Ben Street
A. S. Cooper	M. E. Lee	John W. Swope
W. P. Cropper	J. E. Lilly	C. M. Thomas
James S. Cruse	Clarence Miller	J. B. Thomas
A. A. Demunbrun	A. J. McCandless	S. G. Thornberry
H. L. Dixon	W. P. McDonogh	J. Wood Vance
J. M. Elliston	H. C. McGehee	F. C. VanHoose
L. L. Embry	W. B. O'Bannon	G. C. Waggoner
J. S. Hall	A. J. Oliver	G. F. Walthal
L. B. Hamilton	W. F. Paris	E. G. Young
E. C. Hardin	Ote Piper	

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Those who voted in the negative were—

H. C. Chappell	I. H. Gabbard	Griffin Kelly
John Cook	W. H. Hager	Lilburn Phelps
Fred Cornelius	David J. Howard	J. T. Thornton
F. A. Easterling	J. W. Johnson	W. F. Trusty

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Resolved, that the title thereof be as aforesaid.

Mr. Hardin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 283. An act amending an act entitled an act for the government of cities of the fifth class, approved July 3, 1893.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That an act entitled "An act for the government of cities of the fifth class," and approved July 3, 1893, be, and the same is hereby amended by adding the following at the end thereof:

"All fines and forfeitures recovered in any court, the prosecution of which originated in the police court, in the name of or in favor of the Commonwealth of Kentucky, for violation of the penal laws committed in said city's police jurisdiction, are hereby granted to the city without regard to which court final judgment is rendered in, and when collected either in the police court, the circuit court of the county in which said city is located, or in the Court of Appeals, after payment of all fees and costs, the proceeds of said judgment shall be paid to the treasurer of said city. When an appeal is taken from a judgment of a police court under the penal laws of Kentucky, it shall be the duty of the city attorney of said city to represent the Commonwealth in said case in any court to which it may be appealed, and it shall not be the duty of the Commonwealth attorney or county attorney to so represent the Commonwealth in such appealed case or cases. When judgment is rendered in favor of the Commonwealth in such appealed cases it shall be the duty of said city attorney to take all steps necessary for the collection of said fine or forfeiture and for the enforcement of said judgment. When in the enforcement of a judgment in a case appealed from the police court it is necessary to imprison the defendant, the cost of the imprisonment shall be paid by the city."

Said section, when thus amended, will read as follows:

"The police judge shall be entitled to charge and receive for his services such fees as are or may be allowed by law to county judges for services rendered in the quarterly courts. The council shall, by ordinance, provide who shall act in the place of the police judge when he is absent, or when, from any cause, he cannot preside, or when he is sworn off the bench; provided, he shall, before he enters upon the duties of his office, execute a bond to the Commonwealth with good and sufficient sureties, to be approved by the county judge, to the effect that he will faithfully discharge the duties of his office. The bond shall be filed and recorded in the county clerk's office and an entry made upon the order book of the county court, showing that the bond was executed and approved, and giving the names of the sureties therein. The county judge shall, at any time that he may have reason to believe that said bond is not good or that the sureties are about to become insolvent, require the execution of a new bond or additional sureties on the old one.

All fines and forfeitures recovered in any court, the prosecution of which originated in the police court, in the name of or in favor of the Commonwealth of Kentucky, for violation of the penal laws committed in said city's police jurisdiction, are hereby granted to the city without regard to which court final judgment is rendered in, and when collected either in the police court, the circuit court of the county in which the city is located, or in the Court of Appeals, after payment of all fees and costs, the proceeds of said judgment shall be paid to the treasurer of said city. When an appeal is taken from a judgment of a police court under the penal laws of Kentucky, it shall be the duty of the city attorney of said city to represent the Commonwealth in said case in any court to which it may be appealed, and it shall not be the duty of the Commonwealth's attorney or county attorney to so represent the Commonwealth in such appealed case or cases. When judgment is rendered in favor of the Commonwealth in such appealed

cases it shall be the duty of the city attorney to take all steps necessary for the collection of said fine or forfeiture and for the enforcement of said judgment. When in the enforcement of a judgment in a case appealed from the police court it is necessary to imprison the defendant, the cost of the imprisonment shall be paid by the city."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey
L. D. Baldauf
A. L. Baldwin
W. T. Beckham
B. C. Beckmann
H. V. Bell
O. V. Brown
R. J. Cain
T. L. Caudel
H. C. Chappell
John Cook
A. S. Cooper
W. P. Cropper
James S. Cruse
A. A. Demunbrun
H. L. Dixon
W. G. Dycus
F. A. Easterling
J. M. Elliston
I. H. Gabbard
M. E. Gilbert
J. S. Hall
L. B. Hamilton
E. C. Hardin
B. H. Harris
Joe Huddleston
A. R. Hudson
J. W. Johnson
Leslie P. Jones
W. H. Jones
Griffin Kelly
H. A. Knollman
Joseph Lazarus
M. E. Lee
Clarence Miller
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
H. C. McLellen
A. J. Oliver
W. F. Paris
Lilburn Phelps
Luther Pieratt
Ote Piper
H. C. Rice
Avery Sartin
Claude B. Smith
T. J. Smith
Thomas Spurrier
Ben Street
C. M. Thomas
J. B. Thomas
S. G. Thornberry
J. Wood Vance
G. F. Walthal
E. G. Young

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Those who voted in the negative were—
W. H. Hager D. J. Howard S. D. Laughlin
—3

Resolved, that the title thereof be as aforesaid.

Mr. Hardin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 259. An act providing text books for indigent children and fixing the duties of county judges, superintendents of schools, trustees, teachers, supervisors of schools and truant officers.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 4405, Kentucky Statutes, Carroll's 1915 edition, be, and the same is, hereby amended and re-enacted so that the same when so amended and re-enacted shall read as follows:

Section 4405. Text Books for Indigent Children—Duties of County Judge, Superintendent, Trustees, Teachers, Supervisors of Rural Schools and Truant Officers.—It shall be the duty of each county superintendent of schools before the opening of the schools each year and immediately thereafter and from time to time, not less than three times each year, by personal observation and from teachers, trustees and truant officials, supervisors or rural schools and otherwise to ascertain the number of indigent children of school age in each school district and subdistrict in his county and the number

and cost of text books upon each of the common school branches needed by such indigent children in each of such districts for use in the common schools and shall report to the county judge the names of such children, the districts in which they live and the school to which they belong, the name of the teacher and the number and kind of books needed. Such report shall be filed with the county judge immediately and within not less than ten days after the beginning of the school term in such districts and thereafter as above provided and the county judge shall purchase the books needed and pay for them out of an allowance made by the fiscal court of the county and he shall turn them over to the superintendent of the county for distribution, taking a receipt for the number and value of the books. The superintendent shall deliver such books to the children through the supervisor of rural schools or truant officer, if any, and if not through the trustee or teacher of the school, each of whom shall take the proper receipts therefor from the parent or custodian of the child.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	O. V. Brown	James S. Cruse
B. S. Bailey	R. J. Cain	H. Lawrence Dixon
W. T. Beckham	T. L. Caudel	F. A. Easterling
B. C. Beckmann	John Cook	J. M. Elliston
H. V. Bell	A. S. Cooper	L. L. Embry
W. P. Bowman	W. P. Cropper	I. H. Gabbard

W. H. Hager	Joseph Lazarus	Avery Sartin
J. S. Hall	J. E. Lilly	Claude B. Smith
L. B. Hamilton	Ryland C. Musick	R. T. Smith
E. C. Hardin	A. J. McCandless	T. J. Smith
B. H. Harris	W. P. McDonogh	Ben Street
David J. Howard	H. C. McGehee	C. M. Thomas
Joe Huddleston	H. C. McLellen	J. T. Thornton
A. R. Hudson	W. F. Paris	S. G. Thornberry
J. W. Johnson	Lilburn Phelps	J. Wood Vance
Leslie P. Jones	Luther Pieratt	F. C. VanHoose
W. H. Jones	Ote Piper	G. F. Walthal
Griffin Kelly	H. C. Rice	W. N. Winn
H. A Knollmann	Lewis Ryans	E. G. Young

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Resolved, that the title thereof be as aforesaid.

Mr. Hardin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 127. An act for the benefit of the Kentucky Schools for the Deaf, white and colored, carrying an appropriation of fifty dollars increase in per capita, and special appropriations of twelve thousand nine hundred fifty dollars.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby appropriated out of the general revenue of the state for the benefit of the Kentucky School for the Deaf for white and colored pupils located at Danville, Kentucky, the following sums of money for the specific purposes named and set out herein, as follows:

§ 1. Whereas, there has been a great increase in the cost of provisions and commodities of all kinds consumed and used by the above said schools during the past two years, thus making it imposible to maintain them properly the usual full school term of each year on the present appropriations received from the state treasury, therefore, the per capita allowance for each of the above said schools is hereby increased from one hundred and fifty dollars per annum for each pupil to two hundred dollars per annum.

§ 2. For the purpose of equipping the printing department of the school for the white deaf to better prepare the pupils in obtaining positions upon leaving school, the sum of four thousand two hundred and fifty dollars is hereby appropriated for a typesetting machine and for other necessary printing office equipment and supplies.

§ 3. To rebuild the walls of the four boilers and reset same in the power plant of the school for the white deaf there is hereby appropriated the sum of four hundred dollars.

§ 4. For the purpose of furnishing motive power for the various machines in the carpenter shop of the school for the white deaf there is hereby appropriated the sum of three hundred dollars to purchase one or more electric motors.

§ 5. Whereas, the school for the colored deaf is without a heating plant of any kind, and the building is now heated by stoves and open grates, there is hereby appropriated the sum of eight thousand dollars for the installation of a modern heating plant and for the erection of a building to be used as a boiler room and for the storage of coal to run said plant.

§ 6. The said appropriations made under this act shall be paid to the Board of Commissioners of the Kentucky Schools for the Deaf, white and colored, in the same manner as already provided by law, and any unexpended balance of the appropriations under sections two, three, four and five of this act shall cover into the state treasury.

§ 7. Because of the urgent need of the funds hereby appropriated, an emergency is declared to exist, and this act shall take effect from and after its approval by the Governor.

The Committee on Appropriations offered the following amendments to said bill, viz.:

Strike out sections 3, 4 and 5 of said bill and insert in lieu thereof the following, the same to be section three of said bill:

Section 3. For the purpose of making permanent improvements and repairs in said schools there is hereby appropriated the sum of five thousand ($5,000.00) dollars.

Sections six and seven of said bill shall be numbered sections 4 and 5 respectively.

Said amendments were adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	H. V. Bell	A. S. Cooper
L. D. Baldauf	W. P. Bowman	W. P. Cropper
J. H. Ballard	O. V. Brown	J. C. Davis
A. L. Baldwin	R. J. Cain	A. A. Demunbrun
W. T. Beckham	T. L. Caudel	H. L. Dixon
B. C. Beckmann	John Cook	F. A. Easterling

J. M. Elliston	H. A. Knollman	Lewis Ryans
L. L. Embry	S. D. Laughlin	Avery Sartin
I. H. Gabbard	M. E. Lee	Joe Schneider
J. S. Hall	J. E. Lilly	Claude B. Smith
A. L. Hamilton	Clarence Miller	K. T. Smith
E. C. Harlan	J. T. Murphy	Thomas Spurrier
E. H. Harris	Ryland C. Musick	Ben Street
David J. Howard	A. J. McCandless	C. M. Thomas
Joe Huddleston	W. P. McDonogh	J. B. Thomas
A. R. Hudson	H. C. McGehee	Geo. F. Thompson
Chas. L. Hunter	H. C. McLellen	J. T. Thornton
J. W. Johnson	A. J. Oliver	W. F. Trusty
Leslie P. Jones	T. P. Oliver	J. Wood Vance
W. H. Jones	W. F. Paris	F. C. VanHoose
W. F. Klair	Lilburn Phelps	E. G. Young

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Those who voted in the negative were—

W. H. Hager	Griffin Kelly

—2

Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 199. An act repealing, amending and re-enacting section 215 of the acts of 1916, chapter 24, and repealing, amending and re-enacting section 216, chapter 24, acts 1916, and repealing, amending and re-enacting section 217, chapter 24, acts 1916, of the compulsory attendance law.

Said bill reads as follows, viz.:

Said chapter 24, acts 1916, was an act entitled: An act to repeal chapter 113 of the Kentucky Statutes, Carroll's edition of 1915, being sections 4363 to 4535h inclusive, except sections 4421a and 4421b and sections 4527 to 4535c inclusive, and re-enact the same chapter with the articles and sections

corrected, re-arranged, simplified, and the repealed sections and parts of sections omitted, and fixing the time of year at which text book adoption shall be made.

Whereas, chapter 113 of the Kentucky Statutes, Carroll's edition 1915, the same being sections 4363 to 4535h inclusive, relates to common schools; and,

Whereas, said chapter 113 of the Statutes consists of the acts of July 6, 1893, with the amendments to the same, which act and amendments were based upon the fundamental fact that the local district was the unit of school administration, and of the act of March 24, 1908, with amendments to the same, which act and amendments are based on the fact that the county is the unit of school administration for many purposes; and,

Whereas, the act of March 24, 1908, with amendments thereto have repaled some sections and parts of sections of the act of July 6, 1893, and its amendments; and,

Whereas, much confusion has arisen in the administration of the school laws throughout the State because of the uncertainty arising from facts enumerated; and,

Whereas, it is impracticable to secure a decision of the Court of Appeals upon every one of the many questions arising in the effort to administer the schools under two sets of laws differing in their fundamental conception; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 215, chapter 24, acts 1916, be and the same is hereby repealed and the following re-enacted in lieu thereof:

Any parent, guardian or other person failing to comply with any of the provisions of this act shall be fined in any sum not less than five dollars nor more than twenty dollars for each offense.

§ 2. That section 216, chapter 24, acts 1916, be and the same is hereby repealed, and the following re-enacted in lieu thereof:

That the teacher at the end of each week shall report the name and age of each and every child who fails to attend his or her school for a period of three days during the week to the subdistrict trustee or chairman of the board of trustees. It shall be the duty of the subdistrict trustee or chairman of the board of trustees to immediately investigate said case or cases and if it is neglect or refusal of the parent, guardian or other person having the custody of said child the trustee or chairman shall immediately report said case to the nearest court having jurisdiction of same and it shall be the duty of said court to immediately issue his warrant against the parent, guardian or other person failing and refusing to send said child to school and said court shall proceed to try said case as other criminal cases are tried. Any person or persons failing or refusing to comply with all or any part of this section shall be fined not less than five dollars nor more than twenty dollars.

§ 3. That section 217 of chapter 24, acts 1916, be and the same is hereby repealed and the following re-enacted in lieu thereof:

Any court having similar jurisdiction of criminal cases shall have jurisdiction of any case coming within the terms and provisions of this act and any fine imposed upon the defendant shall be recovered by capias pro fine as other fines in criminal cases are recovered.

§ 4. That all laws and parts of laws in conflict with this law are hereby repealed.

Mr. VanHoose offered the following amendment to said bill, viz.:

Amend section 2, line four, between the words "child" and "who" to read as follows: "Between the ages of seven and fourteen years inclusive."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

A. L. Baldwin	A. R. Hudson	Richard Radcliffe
W. T. Beckham	Chas. L. Hunter	Avery Sartin
B. C. Beckmann	J. W. Johnson	Joe Schneider
O. V. Brown	Griffin Kelly	Claude B. Smith
R. J. Cain	W. F. Klair	R. T. Smith
John Cook	H. A. Knollman	Thomas Spurrier
W. P. Cropper	S. D. Laughlin	Ben Street
A. A. Demunbrun	M. E. Lee	John W. Swope
H. L. Dixon	John T. Murphy	C. M. Thomas
W. G. Dycus	Ryland C. Musick	J. B. Thomas
F. A. Easterling	A. J. McCandless	Geo. F. Thompson
L. L. Embry	W. P. McDonogh	J. T. Thornton
I. H. Gabbard	H. C. McGehee	J. Wood Vance
J. S. Hall	H. C. McLellen	F. C. VanHoose
A. L. Hamilton	W. B. O'Bannon	T. R. Welch
L. B. Hamilton	W. F. Paris	W. N. Winn
B. H. Harris	Luther Pieratt	
David J. Howard	Ote Piper	

—52

Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 361. An act to amend and re-enact section 3467, Kentucky Statutes, Carroll's edition of 1915, relating to city clerks of cities of the fourth class.

Mr. Winn moved that said bill be recommitted.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 331. An act to amend section 561 of the Kentucky Statutes, Carroll's edition of 1915, providing for the termination or existence of corporations and how the same may be effected.

Mr. McDonogh moved that the further consideration of said bill be deferred.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 344. An act to amend section 392 of the Kentucky Statutes, Carroll's edition 1915, providing for the appointment of a master commissioner, fixing his term of office and bond to be gvien.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 392 of the Kentucky Statutes, Carroll's edition, relating to the appointment of a master commissioner, fixing his term of office and bond to be given, which section reads as follows, to-wit:

"Each circuit court shall appoint a master commissioner for such court, may remove him and appoint another; but no master commissioner shall continue in office for more than four years without a re-appointment. Before acting the master commissioner shall be sworn and execute a bond, with surety to be approved by the court for the faithful performance of the duties of his office. The bond shall be entered of record in said court, and shall be renewed once in each year, and oftener if required by the court, and a copy thereof, certified by the clerk, shall be evidence in all proceedings in this State."

Be and the same is hereby repealed and in lieu thereof the following be inserted so that said section as re-enacted shall be and read as follows, to-wit:

"Each circuit court shall appoint a master commissioner for such court and may remove him and appoint another, except in all counties containing a population of seventeen thousand five hundred (17,500) or less; but in all counties containing a population of seventeen thousand five hundred (17,500) or less the clerk of the circuit court for said county or counties shall be ex-officio master commissioner for said court and perform all the duties that are required by law to be performed by the master commissioner of a court, or that may herinafter be required by law to be performed by a commissioner of a circuit court; but no master commissioner shall continue in office for more than four years, except that in all counties containing a population of 17,500 or less the clerk of the circuit court, shall be ex-officio master commissioner during his term of office as said clerk, without a re-appointment. Before acting the master commissioner, whether appointed by the court or the clerk acting as herein provided, shall be sworn and execute bond, with surety to be approved by the court for the faithful performance of the duties of his office. The bond shall be entered of record in said court, and shall be renewed once in each year, and oftener if required by the

court, and a copy thereof certified by the clerk shall be evidence in all proceedings in the State.

This act shall not apply to or affect any master commissioner during his present term of office, that is the term that he is now holding under appointment, but shall take effect and apply to each commissioner at the expiration of the term, the four year term, for which he has been appointed. All laws or parts of laws in conflict herewith are hereby repealed.

Mr. Hunter offered the following amendment to said bill, viz.:

Amend House Bill No. 344 by striking therefrom the words seventen thousand five hundred in words and figures wherever same occur and inserting instead fifteen thousand five hundred in words and figures.

Said amendment was adopted.

Mr. Howard moved that said bill and amendments be laid on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 523. An act to regulate the weighing and sampling of milk, etc.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

WEIGHTS AND SAMPLES OF MILK AND CREAM.

§ 1. That it shall be unlawful for any hauler of milk or cream or other person, or creamery, or other milk plant or agent, receiving milk or cream by weight or test or by weight

and test, to fraudulently manipulate the weights of milk or cream of any patron or to take unfair samples thereof, or to fraudulently manipulate such samples. The tester shall weigh the milk or cream of each patron accurately and correctly and shall report such weights accurately and correctly to the factory. He shall thoroughly mix the milk or cream of each patron by pouring and stirring until such milk or cream is uniform and homogeneous in richness, before the sample is taken from such milk or cream. When the weighing or sampling of the milk or cream of each patron is done at the creamery, shipping station or other factory, firm, corporation or individual buying and paying for milk or cream on the basis of the butter fat contained therein, the same rule shall apply.

GLASSWARE FOR TESTING MILK AND CREAM FOR BUTTER FAT.

§ 2. Every person, firm, company, association, corporation or agent thereof, buying and paying for milk or cream on the basis of amount of butter fat contained therein as determined by the Babcock test, shall use standard Babcock test bottles, pipettes and weights and accurate scales, as defined in section 13 of this act, and all Babcock test bottles, pipettes and weights shall have been inspected for accuracy by the Kentucky Agricultural Experiment Station, or its deputy, and shall be legibly and indellibly marked by the said Kentucky Agricultural Experiment Station or its deputy with the letters "S. G. K." (Standard Glassware, Kentucky). No bottle, pipette or weight shall be used for such test unless so examined and marked by said Kentucky Agricultural Experiment station. It shall be unlawful for any person, firm, company, association, corporation or any of their agents to use any other than standard test bottles, pipettes and weights which have been examined and marked as provided in this section, to determine the amount of fat in the milk or cream bought and paid for on the butter fat basis.

UNLAWFUL TESTS.

§ 3. It shall be unlawful for any person, firm or corporation, by himself or as the officer, servant, agent or employe of any person, firm or corporation, buying and paying for milk or cream on the basis of the amount of fat contained therein to underread, overread or otherwise fraudulently manipulate the Babcock test used for determining the per cent of fat in milk or cream, or to falsify the record thereof or to read the test at any temperature except the correct temperature, which is 135 degrees to 140 degrees Fahrenheit, or to pay on the basis of any measurement or weight except the true measurement or weight, which is seventeen and six-tenths (17.6) cubic centimeters for milk and nine (9) grams for cream. This section further provides that in all tests the cream shall be weighed into the test bottles.

LICENSE FOR THE TESTER.

§ 4. Every creamery, shipping station or other factory, or person, or agent, receiving, buying and paying for milk or cream on the basis of the amount of butter fat contained therein shall have in its employ a licensed tester who shall supervise and be responsible for the operation of the Babcock test of milk and cream. The license shall be issued to such person by the Kentucky Agricultural Experiment Station upon presentation by the applicant of a certificate of proficiency properly filled out and signed by the chairman of the examining board and upon payment of a license fee as provided in section 7. This license shall be valid for the term of one year and shall be revoked by the said Kentucky Agricultural Experiment Station upon recommendation of the examining board if the licensee has failed to comply with the rules and regulations under which the license was granted.

THE EXAMINING BOARD.

§ 5. The examining board shall consist of three members, two to be appointed by the executive committee of the

Kentucky Dairy Cattle Club, and the third member shall be the chief of the Dairy Department of Agricultural Experiment Station.

LICENSE FOR THE CREAMERY.

6. Every creamery, shipping station, milk factory, cheese factory, ice cream factory or milk condensery, or person or agent, firm, company, association or corporation, receiving, buying and paying for milk or cream on the basis of the butter fat contained therein, shall be requred to hold a license. The license shall be issued to such creamery, shipping station, milk factory, condensery, ice cream factory, cheese factory, or person, or agent, firm, company, association or corporation by the Kentucky Agricultural Experiment Station, upon complying with the provisions of sections 1 to 4 inclusive of this act, and upon payment of a license fee as provided in section 7. This license shall be valid for the term of one year, but shall be revoked by the said Kentucky Agricultural Experiment Station if the licensee fails to comply with the rules under which the license was granted.

FEES FOR LICENSES AND FOR INSPECTION OF TESTING GLASSWARE.

§ 7. The tester's license shall be issued upon compliance with the provisions under section 4 of this act and upon payment by the candidate to the Kentucky Agricultural Experiment Station of the sum of two ($2.00) dollars. The creamery license shall be issued upon compliance with the provisions under secton 6 of this act, and upon payment by the candidate, or his agent, to the said Kentucky Agricultural Experiment Station of the sum of six ($6.00) dollars. For all testing glassware inspected by the said Kentucky Agricultural Experiment Station, or its deputy, a fee of three (3) cents shall be paid by the owner of said testing glassware to the said Kentucky Agricultural Experiment Station for every piece of glassware so examined.

ACCOUNTING AND USE OF FUNDS.

§ 8. The money for license fees and for inspection fees as provided for in section 7 shall be paid to the director of

the Kentucky Agricultural Experiment Station, by whom it shall be paid to the treasurer of University of Kentucky, the board of control of which shall expend the same, on proper vouchers to be filed with the Auditor of the state, in meeting all necessary expenses in carrying out the provisions of this act, including the employment of inspectors, chemists, expenses of issuing publications giving the results of glassware and factory inspection, as provided for in this act, and for any other expenses of said Kentucky Agricultural Experiment Station as authorized by law. The director of the said Experiment Station shall include in his annual report to the Governor a classified report showing the total receipts and expenditures of all fees received under the provisions of this act.

PROSECUTING ATTORNEY—DUTIES.

§ 9. It shall be the duty of every prosecuting attorney to whom the Kentucky Agricultural Experiment Station shall report any violation of the provisions of this act to cause proceedings to be commenced against the person or persons so violating the provisions of this act, and to prosecute the same to final termination, according to the laws of the state of Kentucky.

PENALTIES.

§ 10. Any employe of a firm, company, association, corporation or person buying and paying for milk or cream on the basis of the amount of butter fat it contains, violating any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than $25.00 nor more than $500.00, or be imprisoned in the county jail for not less than 60 days nor more than 12 months or both. Any firm, company, association, corporation or person, buying or paying for milk or cream on the basis of the amount of butter fat contained therein, violating any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in the sum of $100.00 for

the first offense, and in the sum of not less than $100.00 nor more than $1,000.00 for each subsequent offense.

ADDITIONAL FUNDS.

§ 11. That in order to insure sufficient funds to execute the provisions in sections 1 to 10, inclusive of this act, and to protect the milk and cream producers of the state against fraud and deception in the weighing, sampling and testing of milk and cream for butter fat, the following sums of money are hereby annually appropriated to University of Kentucky for the exclusive use of the Kentucky Agricultural Experiment Station, for the fiscal year ending ....., $1,000.00, and $1,000.00 annually thereafter, said sums to be paid quarterly to the treasurer of University of Kentucky out of any moneys of the treasury of the state of Kentucky belonging to the general fund and not otherwise appropriated; the same to be expended for the purpose of providing the necessary equipment, and paying the expenses of conducting the inspection of creameries, the examination of testing glassware, the examination of candidates for licenses and of disseminating information and instruction by means of publications and otherwise, as herein provided for.

PROVISIONS.

§ 12. The provisions of this act shall not take effect until July 1, 1918, except the provisions of section 11, which section with its provisions, shall be in full force and effect on and after the passage of this act.

STANDARD BABCOCK TESTING GLASSWARE DEFINED.

§ 13. The term "Standard Babcock Testing Glassware" shall apply to glassware and weights complying with the following specifications:

(a) Standard Milk Test Bottles.

Graduation—The total per cent. graduation shall be 8. The graduated portion of the neck shall have a length of not less than 63.5 millimeters (2½ inches). The graduation shall

represent whole per cent, five-tenths, per cent., and tenths per cent. The tenths per cent. graduations shall not be less than 3 millimeters in length, the five-tenths per cent. graduations shall be 1 millimeter longer than the tenths per cent. graduations, projecting 1 millimeter to the left; the whole per cent. graduations shall extend at least one-half way around the neck to the right and projecting 2 millimeters to the left of the tenths per cent. graduations. Each per cent. graduation shall be numbered, the number being placed on the left of the scale. The error at any point of the scale shall not exceed one-tenth per cent.

Neck—The neck shall be cylindrical and the cylindrical shape shall extend for at least 9 millimeters below the lowest and above the highest graduation mark. The top of the neck shall be flared to a diameter of not less than 10 millimeters.

Bulb—The capacity of the bulb up to the junction of the neck shall not be less than 45 cubic centimeters. The shape of the bulb may be either cylindrical or conical with the smallest diameter at the bottom. If cylindrical, the outside diameter shall be between 34 and 36 millimeters; if conical, the outside diameter of the base shall be between 31 and 32 millimeters, and the maximum diameter between 35 and 37 millimeters.

The charge of the bottle shall be 18 grams.

The total height of the bottle shall be between 150 and 165 millimeters (5⅞ and 6½ inches.)

(b) Standard Cream Test Bottles.

Two types of bottles shall be accepted as standard cream test bottles, a 50 per cent., 9 gram short-neck bottle and a 50 per cent., 9 gram long-neck bottle.

Fifty per cent., 9 gram short-neck bottles. Graduation—the total per cent. graduation shall be 50. The graduated portion of the neck shall have a length of not less than 63.5 millimeters (2½ inches). The graduation shall represent five per cent., one per cent. and five-tenths per cent. The five per cent, graduation shall extend at least half way around the neck (to the right). The five-tenths per cent. graduations shall be

at least 3 millimeters in length, and the one per cent. graduations shall have a length intermediate between the five per cent. and the five tenths per cent. graduations. Each five per cent. graduation shall be numbered, the number being placed on the left of the scale. The error at any point of the scale shall not exceed five-tenths per cent.

Neck—The neck shall be cylindrical and the cylindrical shape shall extend at least 9 millimeters below the lowest and 9 millimeters above the highest graduation mark. The top of the neck shall be flared to a diameter of not less than 10 millimeters.

Bulb—The capacity of the bulb up to the junction of the neck shall not be less than 45 cubic centimeters. The shape of the bulb may be either cylindrical or conical with the smallest diameter at the bottom. If cylindrical the outside diameter shall be between 34 and 36 millimeters; if conical, the outside diameter of the base shall be between 31 and 33 millimeters and the maximum diameter between 35 and 37 millimeters.

The charge of the bottle shall be 9 grams. All bottles shall bear on top of the neck above the graduations, in plain legible characters, the mark defining the weight of the charge to be used (9 grams).

The total height of the bottle shall be between 150 and 165 millimeters (5⅞ and 6½ inches), same as standard milk test bottles.

Fifty per cent. 9 gram long neck bottles—The same specifications in every detail as specified for the 50 per cent. gram short neck bottles shall apply for the long neck bottle with the exception, however, that the total height of this bottle shall be between 210 and 235 millimeters (8¼ and 8 7/7 inches) and the total length of the graduation shall not be less than 120 millimeters.

THE STANDARD BABCOCK PIPETTE.

Total length of pipette not more than 330 millimeters (13¼ inches). Outside diameter of suction tube 6 to 8 millimeters. Length of suction tube 130 millimeters. Outside diameter of delivery tube 4.5 to 5.5 millimeters. Length of de-

livery tube 100 to 120 millimeters. Distance of graduation mark above bulb 30 to 60 millimeters. Nozzle straight. Delivery 17.6 cubic centimeters of water to 20 degress C. in five to eight seconds.

STANDARD WEIGHTS.

The standard weight shall be nine grams.

Mr. Beckham offered the following amendment to said bill, viz.:

Amend House Bill No. 523 by striking out all of section 11 and by striking out of section 12 lines two and three thereof.

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were:

Chas. Ashby	W. P. Cropper	B. H. Harris
B. S. Bailey	James S. Cruse	David J. Howard
L. D. Baldauf	A. A. Demunbrun	Joe Huddleston
J. H. Ballard	H. Lawrence Dixon	A. R. Hudson
A. L. Baldwin	F. A. Easterling	J. W. Johnson
W. T. Beckham	L. L. Embry	W. F. Klair
B. C. Beckmann	I. H. Gabbard	H. A. Knollmann
H. V. Bell	J. S. Hall	W. T. Lasley
R. J. Cain	A. L. Hamilton	S. D. Laughlin
T L. Caudel	L. B. Hamilton	Joseph Lazarus
John Cook	E. C. Hardin	M. E. Lee

J. E. Lilly	Luther Pieratt	J. B. Thomas
Clarence Miller	Ote Piper	Geo. F. Thompson
John T. Murphy	H. C. Rice	J. T. Thornton
Ryland C. Musick	Avery Sartin	S. G. Thornberry
A. J. McCandless	Joe Schneider	W. F. Trusty
W. P. McDonogh	Claude B. Smith	J. Wood Vance
H. C. McGehee	T. J. Smith	F. C. VanHoose
H. C. McLellen	Thomas Spurrier	G. C. Waggoner
W. B. O'Bannon	Ben Street	G. F. Walthal
T. P. Oliver	John W. Swope	T. R. Welch
Lilburn Phelps	C. M. Thomas	E. G. Young

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Those who voted in the negative were—

J. C. Davis	W. G. Dycus

—2

Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 75. An act to prohibit the employment or enticing away of any person under a contract of employment with another, and providing punishment and damages therefor.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Unlawful to Entice Away Employees.—It shall not be lawful for any person or persons in this State knowingly to hire, contract with, decoy or entice away, directly or indirectly, anyone, male or female, who is at the time under contract or in the employ of another for a period of one month or longer; and any person so under contract or employ of another leaving his employ without good and sufficient cause before the expiration of the time for which he was employed,

shall forfeit to the employer all sums due for services rendered, and be liable for such other damages as the employer may reasonably sustain by such violation of contract.

§ 2. Penalty and Damages.—Any person violating the provisions of the foregoing section shall be liable to the party who originally had and was entitled to the services of said employee by virtue of a previous contract for such damages as he may reasonably sustain by loss of the labor of said employee; and he shall also be liable for such damages, whether he had knowledge of an existing contract or not, if he fails or refuses to discharge the person so hired, or to pay such damages as the original employer may sustain, including any amount which the employee may owe the original employer, after he has been notified that the person is under contract or has violated the contract with another person, which amount shall be ascertained and the collection enforced by action for damages before any court of competent jurisdiction of the county where said violation occurs or the party violating said section may reside.

Mr. L. B. Hamilton moved that said bill be laid on the table.

Said motion was disagreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispnesed with, said bill was read the third time by its title and rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	A. L. Baldwin	B. C. Beckmann
J. H. Ballard	W. T. Beckham	H. V. Bell

W. P. Bowman	J. S. Hall	Richard Radcliffe
C. V. Brown	A. L. Hamilton	Avery Sartin
R. J. Cain	David J. Howard	Joe Schneider
T. L. Caudel	J. W. Johnson	Ben Street
W. P. Cropper	W. T. Lasley	John W. Swope
A. A. Demunbrun	M. E. Lee	G. F. Walthal
H. Lawrence Dixon	J. E. Lilly	T. R. Welch
W. G. Dycus	H. C. McGehee	W. N. Winn
I. H. Gabbard	S. Lee McGohan	E. G. Young
W. H. Hager	W. B. O'Bannon	

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Those who voted in the negative were—

J. C. Davis	Griffin Kelly	R. T. Smith
F. A. Easterling	S. D. Laughlin	T. J. Smith
L. L. Embry	Ryland C. Musick	Thomas Spurrier
L. B. Hamilton	A. J. McCandless	C. M. Thomas
E. C. Hardin	A. J. Oliver	J. B. Thomas
B. H. Harris	Lilburn Phelps	G. F. Thompson
Joe Huddleston	Luther Pieratt	J. T. Thornton
A. R. Hudson	Ote Piper	J. Wood Vance
Chas. L. Hunter	H. C. Rice	F. C. VanHoose
Leslie P. Jones	Lewis Ryans	
W. H. Jones	Claude B. Smith	

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And so said bill was rejected.

The House took up for consideration from the Orders of the Day a bill of the following title, viz:

H. B. 514. An act to repeal Sub-section 5 of Section 493 of the Kentucky Civil Code of Practice and to re-enact said sub-section 5 of Section 493 of the Civil Code.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sub-section 5 of Section 493 of the Civil Code of Practice be, and the same is hereby repealed, and in place

thereof the following Subsection 5 of Section 493 is hereby enacted, the same to read as follows:

"In the case mentioned in Section 491 the court ordering the sale shall, by its commissioner or receiver, retain the custody and control of the fund realized by the sale until the same is reinvested in real estate, or until the same is reinvested in such other property or choses in action or securities as the funds of persons under disability may be invested in by authority of law and the court shall order the money to be paid by its commissioner or receiver directly to the person from whom the purchase for reinvestment is made, and to no other person, and in which case no bonds shall be required. (See Kentucky Statutes, Sec. 4706). The court in case the reinvestment is made in such securities or other personalty, shall make all proper orders for the preservation of the same, and for the reinvestment thereof as may become necessary, and may require bonds from fiduciaries or other persons in charge of the case.

"Courts of equity shall also have power to invest in the same way proceeds of sales under Section 491a of the Kentucky Civil Code (Carroll's and also Seymour's) being Section 1, Article 6, Chapter 63 of the General Statutes, Bullitt and Feland's edition 1883."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	J. H. Ballard	B. C. Beckmann
B. S. Bailey	A. L. Baldwin	H. V. Bell
L. D. Baldauf	W. T. Beckham	R. J. Cain

John Cook	H. A. Knollman	H. C. Rice
W. P. Cropper	W. T. Lasley	Lewis Ryans
A. A. Demunbrun	S. D. Laughlin	Avery Sartin
H. Lawrence Dixon	Joseph Lazarus	Joe Schneider
W. G. Dycus	M. E. Lee	Claude B. Smith
F. A. Easterling	J. E. Lilly	T. J. Smith
J. M. Elliston	Clarence Miller	Thomas Spurrier
I. H. Gabbard	John T. Murphy	Ben Street
J. S. Hall	A. J. McCandless	John W. Swope
L. B. Hamilton	W. P. McDonogh	Claude M. Thomas
E. C. Hardin	H. C. McLellen	J. B. Thomas
David J. Howard	W. B. O'Bannon	J. T. Thornton
A. R. Hudson	A. J. Oliver	J. Wood Vance
J. W. Johnson	T. P. Oliver	T. R. Welch
Leslie P. Jones	Lilburn Phelps	W. N. Winn
W. H. Jones	Lewis Ryans	E. G. Young
Griffin Kelly	Ote Piper	
W. F. Klair	Richard Radcliffe	

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Those who voted in the negative were—

R. T. Smith	F. C. VanHoose

—2

Resolved, that the title thereof be as aforesaid.

Mr. Hardin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 130. An act regulating the tax of towns of the sixth class.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That on and after the passage of this bill, the law regulating the method of taxation in towns of the sixth class, shall be so amended that the tax lists for towns of this class, shall be taken from the county assessors' books, or from the sheriffs' books, in the same way as the tax list is taken for graded schools.

§ 2. All acts and parts of acts in conflict with this act are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	Fred Cornelius	E. C. Hardin
B. S. Bailey	W. P. Cropper	David J. Howard
L. D. Baldauf	James S. Cruse	Joe Huddleston
J. H. Ballard	J. C. Davis	A. R. Hudson
A. L. Baldwin	H. Lawrence Dixon	J. W. Johnson
W. T. Beckham	W. G. Dycus	Leslie P. Jones
B. C. Beckmann	F. A. Easterling	W. H. Jones
H. V. Bell	J. M. Elliston	Griffin Kelly
W. P. Bowman	L. L. Embry	W. T. Lasley
J L. Bradford	I. H. Gabbard	Joseph Lazarus
O. V. Brown	W. H. Hager	M. E. Lee
R. J. Cain	J. S. Hall	Clarence Miller
H. C. Chappell	A. L. Hamilton	John T. Murphy
John Cook	L. B. Hamilton	A. J. McCandless

W. P. McDonogh	Luther Pieratt	John W. Swope
H. C. McGehee	Ote Piper	Geo. F. Thompson
S. Lee McGohan	Avery Sartin	J. Wood Vance
H. C. McLellen	Joe Schneider	F. C. VanHoose
W. B. O'Bannon	Claude B. Smith	G. F. Walthal
A. J. Oliver	R. T. Smith	T. R. Welch
T. P. Oliver	T. J. Smith	W. N. Winn
W. F. Paris	Ben Street	

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Resolved, that the title thereof be as aforesaid.

Mr. Hardin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 95. An act to regulate the descent and distribution of deceased adopted children.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That wherever an adopted child receives by inheritance from his adoptive parents any property and dies without lineal descendants and intestate, the property so received or its value shall descend to its adoptive parents or their heirs, in the same manner as if said child had been the natural child of said parents.

§ 2. This act to take effect from its passage.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	A. L. Hamilton	W. B. O'Bannon
B. S. Bailey	L. B. Hamilton	A. J. Oliver
L. D. Baldauf	E. C. Hardin	T. P. Oliver
J. H. Ballard	B. H. Harris	W. F. Paris
A. L. Baldwin	David J. Howard	Lilburn Phelps
W. T. Beckham	Joe Huddleston	Luther Pieratt
B. C. Beckmann	A. R. Hudson	Richard Radcliffe
H. V. Bell	J. W. Johnson	Avery Sartin
W. P. Bowman	W. H. Jones	Joe Schneider
C. V. Brown	Griffin Kelly	Claude B. Smith
R. J. Cain	W. F. Klair	R. T. Smith
T. L. Caudel	H. A. Knollman	Ben Street
H. C. Chappell	W. T. Lasley	John W. Swope
John Cook	S. D. Laughlin	C. M. Thomas
W. P. Cropper	Joseph Lazarus	J. B. Thomas
A. A. Demunbrun	M. E. Lee	Geo. F. Thompson
W. G. Dycus	John T. Murphy	J. T. Thornton
F. A. Easterling	A. J. McCandless	S. G. Thornberry
J. M. Elliston	W. P. McDonogh	J. Wood Vance
I. H. Gabbard	H. C. McGehee	G. F. Walthal
M. E. Gilbert	S. Lee McGohan	T. R. Welch
W. H. Hager	H. C. McLellen	E. G. Young

—66

Resolved, that the title thereof be as aforesaid.

Mr. Hardin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Hardin moved that when this House adjourns today it be to meet again on Monday next, March 18th, 1918, at eleven o'clock a. m.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

H. B. 38. An act dividing Kentucky into one hundred legislative districts.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the state of Kentucky be and the same is hereby divided into one hundred representative districts, as follows:

The first district shall be composed of the counties of Fulton and Hickman.

Second district of the counties of Carlisle and Ballard.

Third district of the county of Graves.

Fourth district by the county of McCracken.

Fifth district of the counties of Critten and Livingston.

Sixth district of the counties of Lyon and Marshall.

Seventh district of the county of Calloway.

Eighth district of the counties of Trigg and Caldwell.

Ninth district of the county of Union.

Tenth district of the county of Henderson.

Eleventh district of the county of Webster.

Twelfth district of the county of Hopkins.

Thirteenth district of the county of Christian.

Fourteenth district of the county of Todd.

Fifteenth district of the county of Logan.

Sixteenth district of the county of Muhlenberg.

Seventeenth district of the county of McLean.

Eighteenth district of that part of Daviess county outside the corporate limits of the city of Owensboro.

Nineteenth district of that part of Daviess county embracing the territory within the corporate limits of the city of Owensboro.

Twentieth district of the county of Ohio.

Twenty-first district of the counties of Hancock and Breckinridge.

Twenty-second district of the county of Grayson.

Twenty-third district of the counties of Butler and Edmonson.

Twenty-fourth district of the county of Warren.

Twenty-fifth district of the counties of Simpson and Allen.

Twenty-sixth district of the county of Barren.

Twenty-seventh district of the county of Hart.

Twenty-eighth district of the county of Hardin.

Twenty-ninth district of the county of Meade.

Thirtieth district of the counties of Bullitt and Spencer.

Thirty-first district of the county of Nelson.

Thirty-second district of the county of Marion.

Thirty-third district of the counties of Taylor and Larue.

Thirty-fourth district of the counties of Green and Metcalfe.

Thirty-fifth district of the counties of Monroe and Cumberland.

Thirty-sixth district of the county of Adair.

Thirty-seventh district of the counties of Clinton and Russell.

Thirty-eighth district of the counties of Wayne and McCreary.

Thirty-ninth district of the county of Pulaski.

Fortieth district of the county of Casey.

Forty-first district of the county of Lincoln.

Forty-second district of the county of Boyle.

Forty-third district of the counties of Mercer and Garrard.

Forty-fourth district of the counties of Washington and Anderson.

Forty-fifth district of the counties of Woodford and Jessamine.

Forty-sixth district of the county of Franklin.

Forty-seventh district of the county of Shelby.

Forty-eighth district of that part of Jefferson county embracing magisterial districts numbers one, two and three.

Forty-ninth district of that part of Jefferson county embracing the first ward and precincts twenty-two, twenty-three, twenty-four, twenty-five and twenty-six of the second ward of the city of Louisville.

Fiftieth district of that part of Jefferson county embracing precincts sixteen, seventeen, eighteen, nineteen, twenty and twenty-one of the second ward, and precincts thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty and forty-one of the third ward, and precincts five, six, seven, eight, nine, ten and eleven of the fourth ward of the city of Louisville.

Fifty-first district of that part of Jefferson county embracing precincts twenty-seven, twenty-eight and twenty-nine of the second ward, and precincts forty-two, forty-three, forty-four, forty-five, forty-six, forty-seven, forty-eight, forty-nine, fifty, fifty-one, fifty-two, fifty-three of the third ward of the city of Louisville.

Fifty-second district of that part of Jefferson county embracing precincts one, two, three and four of the fourth ward, and precincts twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven and twenty-eight of the fifth ward of the city of Louisville.

Fifty-third district of that part of Jefferson county embracing the sixth and seventh wards of the city of Louisville.

Fifty-fourth district of that part of Jefferson county embracing the eighth and ninth wards of the city of Louisville.

Fifty-fifth district of that part of Jefferson county embracing the tenth ward and precincts four, six, eight, nine and thirty-six of the eleventh ward of the city of Louisville.

Fifty-sixth district of that part of Jefferson county embracing precincts one, two, three, five, seven, thirty-seven, thirty-eight, thirty-nine, forty, forty-one, forty-two, forty-three, forty-four, forty-five, forty-six, forty-seven, forty-eight, forty-nine, fifty, fifty-one and fifty-two of the eleventh ward of the city of Louisville.

Fifty-seventh district of that part of Jefferson county embracing precincts ten, eleven, twelve, sixteen, seventeen, eighteen, nineteen, twenty, twenty- one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-five, thirty-nine, forty-two of the twelfth ward of the city of Louisville.

Fifty-eighth district of that part of Jefferson county embracing precincts thirteen, fourteen, fifteen, thirty-two, thirty-three, thirty-four, thirty-six, thirty-seven, thirty-eight, forty, forty-one and forty-three of the twelfth ward of the city of Louisville and the territory embracing the fourth magisterial district of Jefferson county outside the city of Louisville.

Fifty-ninth district of the counties of Henry and Oldham.

Sixtieth district of the counties of Trimble and Carroll.

Sixty-first district of the counties of Owen and Gallatin.

Sixty-second district of the counties of Boone and Grant.

Sixty-third district of that part of Kenton county lying outside the corporate limits of the city of Covington.

Sixty-fourth district of that part of the county of Kenton embracing the territory of the first, fifth and sixth wards and precincts E and F of the fourth ward of the city of Covington.

Sixty-fifth district of that part of the county of Kenton embracing the territory of the second and third wards and precincts A, B, C and D of the fourth ward of the city of Covington.

Sixty-sixth district of that part of the county of Campbell lying outside the corporate limits of the city of Newport.

Sixty-seventh district of that part of the county of Campbell embracing the territory within the corporate limits of the city of Newport.

Sixty-eighth district of the counties of Pendleton and Bracken.

Sixty-ninth district of the county of Mason.

Seventieth district of the counties of Nicholas and Bath.

Seventh-first district of the counties of Harrison and Robertson.

Seventy-second district of the county of Bourbon.

Seventy-third district of the county of Scott.

Seventy-fourth district of that part of the county of Fayette lying outside the corporate limits of the city of Lexington.

Seventy-fifth district of that part of Fayette county embracing the territory within the corporate limits of the city of Lexington.

Seventy-sixth district of the counties of Clark and Powell.

Seventy-seventh district of the county of Madison.

Seventy-eighth district of the counties of Estill and Lee.

Seventy-ninth district of the counties of Jackson and Rockcastle.

Eightieth district of the county of Laurel.

Eighty-first district of the county of Whitley.

Eight-second district of the county of Knox.

Eighty-third district of the county of Bell.

Eighty-fourth district of the county of Clay.

Eight-fifth district of the county of Lewis.

Eighty-sixth district of the county of Carter.

Eighty-seventh district of the county of Greenup.

Eighty-eighth district of the county of Boyd.

Eighty-ninth district of the county of Lawrence.

Ninetieth district of the county of Johnson.

Ninety-first district of the county of Pike.

Ninety-second district of the counties of Floyd and Martin.

Ninety-third district of the counties of Montgomery and Menifee.

Ninety-fourth district of the counties of Fleming and Rowan.

Ninety-fifth district of the counties of Magoffin and Wolfe.

Ninety-sixth district of the county of Breathitt.

Ninety-seventh district of the counties of Owsley and Perry.

Ninety-eighth district of the counties of Leslie and Harlan.

Ninety-ninth district of the counties of Knott and Letcher.

One hundredth district of the counties of Elliott and Morgan.

Mr. Spurrier offered the following amendment to said bill by way of substitute therefor, viz.:

An act dividing the Commonwealth of Kentucky into one hundred representative districts.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. That the state of Kentucky be, and the same is, hereby divided into one hundred representative districts, as follows:

The first district shall be composed of the counties of Fulton and Hickman.

Second district of the counties of Carlisle and Ballard.

Third district of the county of Graves.

Fourth district of the county of McCracken.

Fifth district of the counties of Crittenden and Livingston.

Sixth district of the county of Caldwell.
Seventh district of the county of Calloway.
Eighth district of the counties of Marshall and Lyon.
Ninth district of the county of Trigg.
Tenth district of the county of Union.
Eleventh district of the county of Henderson.
Twelfth district of the county of Webster.
Thirteenth district of the county of Hopkins.
Fourteenth district of the county of Christian.
Fifteenth district of the county of Todd.
Sixteenth district of the county of Logan.
Seventeenth district of the county of Muhlenberg.
Eighteenth district of the county of McLean.

Nineteenth district of that part of Daviess county outside the corporate limits of Owensboro.

Twentieth district of that part of Daviess county embracing the territory within the corporate limits of the city of Owensboro.

Twenty-first district of the county of Ohio.

Twenty-second district of the counties of Hancock and Breckinridge.

Twenty-third district of the county of Grayson.

Twenty-fourth district of the counties of Butler and Edmonson.

Twenty-fifth district of the city of Bowling Green and all voting precincts adjoining said city on the south side of Barren river.

Twenty-sixth district the county of Warren outside of the boundaries included in the Twenty-fifth district hereof.

Twenty-seventh district of the county of Simpson.
Twenty-eighth district of the county of Allen.
Twenty-ninth district of the county of Barren.
Thirtieth district of the counties of Hart and Greene.
Thirty-first district of the county of Hardin.
Thirty-second district of the county of Meade.

Thirty-third district of the counties of Bullitt and Spencer.

Thirty-fourth district of the counties of Nelson and Larue.

Thirty-fifth district of the county of Marion.

Thirty-sixth district of the counties of Taylor and Adair.

Thirty-seventh district of the counties of Monroe and Metcalfe.

Thirty-eighth district of the counties of Clinton and Cumberland.

Thirty-ninth district of the counties of Casey and Russell.

Fortieth district of the counties of Wayne and McCreary.

Forty-first district of the county of Pulaski.

Forty-second district of the county of Lincoln.

Forty-third district of the county of Boyle.

Forty-fourth district of the counties of Mercer and Washington.

Forty-fifth district of the county of Anderson.

Forty-sixth district of the county of Woodford.

Forty-seventh district of the county of Jessaimne.

Forty-eighth district of the county of Garrard.

Forty-ninth district of the county of Franklin.

Fiftieth district of the county of Shelby.

Fifty-first district of the county of Jefferson, embracing the territory outside of corporate limits of the city of Louisville.

Fifty-second district of the county of Jefferson, embracing the territory of the first ward of the city of Louisville.

Fifty-third district of the county of Jefferson, embracing the territory of the second and third wards of the city of Louisville.

Fifty-fourth district of the county of Jefferson, embracing the territory of the fourth and fifth wards of the city of Louisville.

Fifty-fifth district of the county of Jefferson, embracing the territory of the sixth and seventh wards of the city of Louisville.

Fifty-sixth district of the county of Jefferson, embracing the territory of the eight and ninth wards of the city of Louisville.

Fifty-seventh district of the county of Jefferson, embracing the territory of the tenth ward of the city of Louisville.

Fifty-eighth district of the county of Jefferson, embracing the territory of the eleventh and twelfth wards of the city of Louisville.

Fifty-ninth district of the counties of Trimble and Oldham.

Sixtieth district of the counties of Henry and Carroll.

Sixty-first district of the counties of Owen and Gallatin.

Sixty-second district of the counties of Boone and Grant.

Sixty-third district shall be composed of that part of Kenton county embraced in the territory outside of the corporate limits of the city of Covington, and shall be composed of the precincts of the Third ward, precincts G, H, I, J, K and L of the Fifth ward, and precincts I and J of the Sixth wards of the city of Covington.

Sixty-fourth district shall be composed of that territory of the First ward, precincts E and F; of the Fourth ward precincts A, B, C, D, E and F; of the Fifth ward precincts A, B, C, D, E, F, G, H, K and L of the Sixth ward of the city of Covington.

Sixty-fifth district shall be composed of the territory embraced in the Second ward, precincts A, B, C, D and E of the Third ward and precincts A, B, C and D of the Fourth Ward of the city of Covington.

Sixty-sixth district of that part of the county of Campbell lying outside of the corporate limits of the city of Newport.

Sixty-seventh district of that part of the county of Campbell embracing the territory within the corporate limits of the city of Newport.

Sixty-eighth district of the counties of Pendleton and Bracken.

Sixty-ninth district of the county of Mason.

Seventieth district of the counties of Nicholas and Robertson.

Seventy-first district of the county of Harrison.

Seventy-second district of the county of Fleming.

Seventy-third district of the county of Bourbon.

Seventy-fourth district of the county of Scott.

Seventy-fifth district of that part of the county of Fayette lying outside of the corporate limits of the city of Lexington.

Seventy-sixth district of that part of Fayette county embracing the territory within the corporate limits of the city of Lexington.

Seventy-seventh district of the county of Clark.

Seventy-eighth district of the county of Madison.

Seventy-ninth district of the counties of Lee and Breathitt.

Eightieth district of the counties of Jackson and Estill.

Eighty-first district of the counties of Laurel and Rockcastle.

Eighty-second district of the county of Whitley.

Eighty-third district of the county of Knox.

Eighty-fourth district of the county of Bell.

Eighty-fifth district of the counties of Clay and Owsley.

Eighty-sixth district of the county of Lewis.

Eighty-seventh district of the county of Carter.

Eighty-eighth district of the county of Greenup.

Eighty-ninth district of the county of Boyd.

Ninetieth district of the counties of Lawrence and Elliott.

Ninety-first district of the counties of Johnson and Martin.

Ninety-second district of the county of Pike.

Ninety-third district of the county of Floyd.

Ninety-fourth district of the counties of Wolfe and Powell.

Ninety-fifth district of the counties of Menifee and Rowan.

Ninety-sixth district of the counties of Montgomery and Bath.

Ninety-seventh district of the counties of Letcher and Perry.

Ninety-eighth district of the counties of Leslie and Harlan.

Ninety-ninth district of the counties of Knott and Magoffin.

One hundredth district of the county of Morgan.

Mr. Musick offered the following amendment to the Spurrier substitute by way of substitute therefor, viz.:

An act dividing the Commonwealth of Kentucky into one hundred representative districts.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. That the state of Kentucky be, and the same is, hereby divided into one hundred representative districts, as follows:

The First district shall be composed of the counties of Fulton and Hickman.

Second district of the counties of Carlisle and Ballard.

Third district of the county of Graves.

Fourth district of the county of McCracken.

Fifth district of the counties of Crittenden and Livingston.

Sixth district of the county of Caldwell.

Seventh district of the county of Calloway.

Eighth district of the counties of Marshall and Lyon.

Ninth district of the county of Trigg.

Tenth district of the county of Union.

Eleventh district of the county of Henderson.

Twelfth district of the county of Webster.

Thirteenth district of the county of Hopkins.

Fourteenth district of the county of Christian.

Fifteenth district of the county of Todd.

Sixteenth district of the county of Logan.

Seventeenth district of the county of Muhlenberg.

Eighteenth district of the county of Logan.

Nineteenth district of that part of Daviess county outside of the corporate limts of Owensboro.

Twentieth district of that part of Daviess county embracing the territory within the corporate limits of the city of Owensboro.

Twenty-first district of the county of Ohio.

Twenty-second district of the counties of Hancock and Breckinridge.

Twenty-third district of the county of Grayson.

Twenty-fourth district of the counties of Butler and Edmonson.

Twenty-fifth district of the county of Lee.

Twenty-sixth district of the county of Warren.

Twenty-seventh district of the county of Simpson.

Twenty-eighth district of the county of Allen.

Twenty-ninth district of the county of Barren.

Thirtieth district of the counties of Hart and Greene.

Thirty-first district of the county of Hardin.

Thirty-second district of the county of Meade.

Thirty-third district of the counties of Bullitt and Spencer.

Thirty-fourth district of the counties of Nelson and Larue.

Thirty-fifth district of the county of Marion.

Thirty-sixth district of the counties of Taylor and Adair.

Thirty-seventh district of the counties of Monroe and Metcalfe.

Thirty-eighth district of the counties of Clinton and Cumberland.

Thirty-ninth district of the counties of Casey and Russell.

Fortieth district of the counties of Wayne and McCreary.

Forty-first district of the county of Pulaski.

Forty-second district of the county of Lincoln.

Forty-third district of the county of Boyle.

Forty-fourth district of the counties of Mercer and Washington.

Forty-fifth district of the county of Anderson.

Forty-sixth district of the county of Woodford.

Forty-seventh district of the county of Jessamine.

Forty-eighth district of the county of Garrard.

Forty-ninth district of the county of Franklin.

Fiftieth district of the county of Shelby.

Fifty-first district of the county of Jefferson, embracing the territory outside of the corporate limits of the city of Louisville.

Fifty-second district of the county of Jefferson, embracing the territory of the first ward of the city of Louisville.

Fifty-third district of the county of Jefferson, embracing the territory of the second and third wards of the city of Louisville.

Fifty-fourth district of the county of Jefferson, embracing the territory of the fourth and fifth wards of the city of Louisville.

Fifty-fifth district of the county of Jefferson, embracing the territory of the sixth and seventh wards of the city of Louisville.

Fifty-sixth district of the county of Jefferson, embracing the territory of the eighth and ninth wards of the city of Louisville.

Fifty-seventh district of the county of Jefferson, embracing the territory of the Tenth ward of the city of Louisville.

Fifty-eighth district of the county of Jefferson, embracing the territory of the eleventh and twelfth wards of the city of Louisville.

Fifty-ninth district of the counties of Trmble and Oldham.

Sixtieth district of the counties of Henry and Carroll.

Sixty-first district of the counties of Owen and Gallatin.

Sixty-second district of the counties of Boone and Grant.

Sixty-third district shall be composed of that part of Kenton county embraced in the territory outside of the corporate limits of the city of Covington, and shall be composed of precinct F of the Third ward, precincts G, H, I, J, K and L of the Fifth ward, and precincts I and J of the Sixth ward of the city of Covington.

Sixty-fourth district shall be composed of that territory of the First ward, precincts E and F of the Fourth ward, precincts A, B, C, D, E and F of the Fifth ward; precincts A, B, C, D, E, F, G, H, K and L of the Sixth ward of the city of Covington.

Sixty-fifth district shall be composed of the territory embraced in the Second ward, precincts A, B, C, D and E of the Third ward and precincts A, B, C and D of the Fourth ward of the city of Covington.

Sixty-sixth district of that part of the county of Campbell lying outside of the corporate limits of the city of Newport.

Sixty-seventh district of that part of the county of Campbell embracing the territory within the corporate limits of the city of Newport.

Sixth-eighth district of the counties of Pendleton and Bracken.

Sixty-ninth district of the county of Mason.

Seventieth district of the counties of Nicholas and Robertson.

Seventy-first district of the county of Harrison.

Seventy-second district of the county of Fleming.

Seventy-third district of the county of Bourbon.

Seventy-fourth district of the county of Scott.

Seventh-fifth district of that part of the county of Fayette lying outside of the corporate limits of the city of Lexington.

Seventy-sixth district of that part of Fayette county embracing the territory within the corporate limits of the city of Lexington.

Seventy-seventh district of the county of Clark.

Seventy-eighth district of the county of Madison.

Seventy-ninth district of the county of Breathitt.

Eightieth district of the counties of Jackson and Estill.

Eighty-first district of the counties of Laurel and Rockcastle.

Eighty-second district of the county of Whitley.

Eighty-third district of the county of Knox.

Eighty-fourth district of the county of Bell.

Eighty-fifth district of the counties of Clay and Owsley

Eighty-sixth district of the county of Lewis.

Eighty-seventh district of the county of Carter.

Eighty-eighth district of the county of Greenup.

Eighty-ninth district of the county of Boyd.

Ninetieth district of the counties of Lawrence and Elliott.

Ninety-first district of the counties of Johnson and Martin.

Ninety-second district of the county of Pike.

Ninety-third district of the county of Floyd.

Ninety-fourth district of the counties of Wolfe and Powell.

Ninety-fifth district of the counties of Montgomery and Menifee.

Ninety-sixth district of the counties of Rowan and Bath.

Ninety-seventh district of the counties of Letcher and Perry.

Ninety-eighth district of the counties of Leslie and Harlan.

Ninety-ninth district of the counties of Knott and Magoffin.

One Hundredth district of the county of Morgan.

Said amendment proposed by Mr. Musick to the Spurrier substitute, by way of substitute therefor, was disagreed to.

Mr. T. L. Caudel offered the following amendment to the substitute amendment proposed by Mr. Spurrier as follows, viz.:

Amend substitute to House Bill No. 38 by changing the 95th district so it will read:

Ninety-fifth district of the counties of Menifee and Montgomery.

And amend House Bill No. No. 38 by changing the 96th district so it will read:

Ninety-sixth district of the counties of Bath and Rowan.

The yeas and nays being required on said last named amendment by Messrs. Caudel and Spurrier were as follows, viz.:

Those who voted in the affirmative were—

L. D. Bauldauf	A. L. Hamilton	Luther Pieratt
A. L. Baldwin	Joe Huddleston	H. C. Rice
W. T. Beckham	Leslie P. Jones	Avery Sartin
T. L. Caudel	Griffin Kelly	John W. Swope
John Cook	Clarence Miller	C. M. Thomas
H. L. Dixon	John T. Murphy	J. Wood Vance
M. E. Gilbert	A. J. Oliver	F. C. VanHoose
Ryland C. Musick	W. F. Paris	—23

Those who voted in the negative were—

B. S. Bailey	W. H. Hager	Lilburn Phelps
J. H. Ballard	J. S. Hall	Richard Radcliffe
B. C. Beckmann	E. C. Hardin	Lewis Ryans
W. P. Bowman	A. R. Hudson	Joe Schneider
J. L. Bradford	Chas. L. Hunter	Claude B. Smith
O. V. Brown	J. W. Johnson	R. T. Smith
H. C. Chappell	W. H. Jones	T. J. Smith
A. S. Cooper	W. F. Klair	Thomas Spurrier
Fred Cornelius	W. T. Lasley	Ben Street
W. P. Cropper	S. D. Laughlin	J. B. Thomas
James S. Cruse	Joseph Lazarus	Geo. F. Thompson
A. A. Demunbrun	J. E. Lilly	S. G. Thornberry
W. G. Dycus	A. J. McCandless	W. F. Trusty
F. A. Easterling	W. P. McDonogh	G. F. Walthal
J. M. Elliston	H. C. McLellen	E. G. Young
L. L. Embry	W. B. O'Bannon	
I. H. Gabbard	T. P. Oliver	—49

And so said amendment was disagreed to.

Mr. Knollman offered the following amendment to the Spurrier substitute, viz.:

Amend said substitute as follows: "All territory embraced outside of the corporate limits of the city of Covington and including precinct F of the Third ward, precincts G, H, I, J, K, L, M of the Fifth ward, precincts I and J of the Sixth ward to compose the Sixty-third district."

Said amendment was adopted.

Mr. Knollman offered the following amendment to the Spurrier substitute, viz.:

Amend said substitute: "Sixty-fourth district: First ward, precincts A to G; Fourth ward, precincts E and F.,

Fifth ward, precincts A, B, C, D, E, F; Sixth ward, precincts A to H, K and L."

Said amendment was adopted.

Mr. Knollman offered the following amendment to said Spurrier substitute, viz.:

Sixty-fifth district: Second ward; third ward, precincts A, B, C, D and E; fourth ward, precincts A, B, C and D.

Said amendment was adopted.

Mr. Musick moved the previous question.

The Speaker stated: Shall the main question be now put?

Said question was decided in the affirmative.

The said amendment offered by Mr. Spurrier to House Bill No. 38 by way of substitute therefor, as amended, was then adopted.

Mr. Gilbert moved that said bill, substitute and all amendments thereto be laid on the table.

Said motion was disagreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended by way of substitute therefor, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	E. C. Hardin	A. J. Oliver
B. S. Bailey	David J. Howard	T. P. Oliver
L. D. Baldauf	Joe Huddleston	W. F. Paris
J. H. Ballard	A. R. Hudson	Lilburn Phelps
A. L. Baldwin	Chas. L. Hunter	Luther Pieratt
W. T. Beckham	J. W. Johnson	Ote Piper
B. C. Beckmann	W. H. Jones	Lewis Ryans
H. V. Bell	W. F. Klair	Avery Sartin
W. P. Bowman	H. A. Knollman	Joe Schneider
O. V. Brown	W. T. Lasley	Claude B. Smith
H. C. Chappell	Joseph Lazarus	R. T. Smith
A. S. Cooper	M. E. Lee	T. J. Smith
Fred Cornelius	J. E. Lilly	Thomas Spurrier
W. P. Cropper	Clarence Miller	Ben Street
James S. Cruse	John T. Murphy	G. F. Thompson
A. A. Demunbrun	Ryland C. Musick	J. T. Thornton
W. G. Dycus	A. J. McCandless	J. Wood Vance
F. A. Easterling	W. P. McDonogh	G. C. Waggoner
L. L. Embry	H. C. McGehee	G. F. Walthal
I. H. Gabbard	S. Lee McGohan	T. R. Welch
W. H. Hager	H. C. McLellen	E. G. Young
A. L. Hamilton	W. B. O'Bannon	—65

Those who voted in the negative were—

R. J. Cain	L B. Hamilton	C. M. Thomas
John Cook	Griffin Kelly	J. B. Thomas
H. Lawrence Dixon	S. D. Laughlin	W. F. Trusty
J. M. Elliston	Richard Radcliffe	F. C. VanHoose
M. E. Gilbert	H. C. Rice	W. N. Winn
J. S. Hall	John W. Swope	—17

Resolved, that the title thereof be as amended.

Mr. Hardin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had concurred in a resolution which originated in the House of the following title, viz.:

H. Res. 37. Resolution for the benefit of Edward L. Allen, G. Frank Walthal, A. F. Hanberry and S. F. Day.

Also that they had passed bills originating in the Senate of the following titles, viz.:

S. B. 36. An act to amend and re-enact section 1845, Kentucky Statutes.

To the Committee on Rules.

S. B. 82. An act providing a reward for the capture, arrest, delivery and conviction of persons stealing motor vehicles, and providing for the amount thereof and the manner of its payment.

To the Committee on Rules.

S. B. 97. An act providing for the formation and carrying on of co-operative associations and providing for the rights, powers, liabilities and duties of the same, making it unlawful for anyone to use the title "co-operative" as part of its or his or their business name or title unless such person or corporation or company has complied with the provisions of this act.

To the Committee on Rules.

S. B. 102. An act to amend section 2751, Kentucky Statutes, Carroll's edition 1915, providing for the publication of general ordinances of cities of the first class, being part of an act entitled: An act for the government of cities of the first class, approved July 1, 1893.

To the Committee on Rules.

S. B. 107. An act to amend an act, entitled: An act to amend and re-enact section 1, chapter 31 of an act entitled: An act providing for the creation of and regulation of private corporations, approved March 21, 1896, and being section 603 of the Kentucky Statutes, approved March 15, 1898.

To the Committee on Rules.

S. B. 133. An act establishing a State printing office, creating the office of superintendent of State printing and fixing his salary, designating and authorizing the work to be done in the State printing office and making appropriation therefor.

To the Committee on Rules.

S. B. 148. An act to amend and re-enact section 5 of an act entitled: An act repealing sections 4217, 4217a, of the Kentucky Statutes, and requiring permits for certain kinds of merchants; defining temporary and transcient merchants, and providing for licensing same, regulating the advertising, representations and business of such merchants and prescribing penalties for failure to comply with the provisions of this act, being chapter 111 of the acts of 1916.

To the Committee on Rules.

S. B. 176. An act to abolish what are commonly known as Loan Sharks, and license and regulate the business of lending money in sums of three hundred dollars or less, secured or unsecured by persons, firms and corporations other than banks, trust companies, pawnbrokers, loan and investment companies, whether such accepted classes operate under law now in force or hereafter passed, providing the charges that may be made for such loans and penalties for violation of the

act, and repealing section 4224 Kentucky Statutes, edition of 1915.

To the Committee on Rules.

S. B. 187. An act to amend an act entitled: An act relating to revenue and taxation, creating a State Tax Commission, providing for the appointment, qualification and term of office of its members, prescribing its powers and duties, appropriating money therefor, providing for the assessment of property for taxation and the supervision and equalization of assessments and prescribing the powers and duties of county clerks, county assessors, sheriffs, collectors, the railroad commission, Auditor of Public Accounts and other officers performing some duty in reference to the taxation of property, creating county boards of supervisors, a State Board of Equalization and a State Board of Valuation and Assessment and defining their powers and duties, prescribing penalties and repealing existing statutes, approved May 21, 1917.

To the Committee on Rules.

S. B. 219. An act to provide for the assessment of all male persons who have reached their majority for poll tax purposes in any county, city, town, school district or other subdivision of this Commonwealth in which a poll tax is levied, and making it a misdemeanor for any person to fail to comply; prescribing a method of making the said assesment and providing a penalty to be added to all delinquent poll taxes; prescribing a method by which the said assessment and the collection thereof shall be made by the assessing and tax collecting official and prescribing a penalty upon the assessing and tax collecting official who shall fail to comply with the requirements of this act.

To the Committee on Rules.

S. B. 239. An act entitled an act to repeal and re-enact subsection 4 of section 2739, Kentucky Statutes, Carroll's edition of 1915, relating to motor vehicles.

To the Committee on Rules.

S. B. 261. An act to amend and re-enact section 4535h and subsections thereof of the Kentucky Statutes, Carroll's edition of 1915, being chapter 47 of the acts of the General Assembly of 1912, approved March 12, 1912, and entitled: An act qualifying and enabling women to vote for the election of school trustees and other school officers chosen by the people, except such officers as women may be disqualified from voting for by the Constitution, and upon school measures or questions submitted to a vote of the people and to hold common school offices, except such offices as women are disqualified from holding by the Constitution.

To the Committee on Rules.

S. B. 279. An act relating to banks and banking, being an act to amend section 579, Kentucky Statutes, Carroll's edition 1915, entitled: Business—when may begin—powers of corporation.

To the Committee on Rules.

S. B. 280. An act relating to banks and banking, being an act to amend section 583, Kentucky Statutes, Carroll's edition 1915, entitled: Indebtedness of persons to highest amount permitted.

To the Committee on Rules.

S. B. 286. An act relating to the supervision of revenue agents, and revenue agents, and placing them under the supervision and direction of the State Tax Commission.

To the Committee on Rules.

S. B. 305. An act relating to domestic stock fire insurance companies, permitting such companies to issue shares of stock in ten dollar certificates and validating such as may have been heretofore issued.

To the Committee on Rules.

S. B. 307. An act to amend section 513 of the Kentucky Statutes, Carroll's edition 1915, relating to the indexing of records of county clerks.

To the Committee on Rules.

S. B. 313. An act to amend section 2218 of the Kentucky Statutes.

To the Committee on Rules.

S. B. 341. An act to amend section 965, Kentucky Statutes, relating to the time of holding the sessions of circuit court in the 21st judicial district.

To the Committee on Rules.

S. B. 342. An act to more clearly define the method and procedure for the imposition of inheritance taxes on contingent interests or estates and to amend section 4281a to 4281s, both inclusive, Kentucky Statutes, Carroll's 1915 edition, and chapter 26 of the acts of 1916, by prescribing the rate of tax and the method of collecting same on contingent interests or estates and providing for a refund upon the happening of the contingency to persons who are required to pay a less amount than the tax imposed, and paid.

To the Committee on Rules.

S. B. 345. An act to amend section 2 of chapter 69 of an act of the General Assembly of 1915 which is an act to regulate, license and govern use of moter vehicles.

To the Committee on Rules.

Mr. Hardin, of the Committee on Rules, to which the same had been referred moved that all Senate bills reported from that body to the House today be given their first reading and placed in the calendar, and that the rules be suspended for that purpose.

Said motion was agreed to.

Said rules were suspended.

And the following bills in accordance with said motion were read the first time at length and placed in the calendar, viz.:

S. B. 36. An act to amend and re-enact section 1845, Kentucky Statutes.

S. B. 82. An act providing a reward for the capture, arrest, delivery and conviction of persons stealing motor vehicles, and providing for the amount thereof and the manner of its payment.

S. B. 97. An act providing for the formation and carrying on of co-operative associations and providing for the rights, powers, liabilities and duties of the same, making it unlawful for anyone to use the title "co-operative" as part of its or his or their business name or title unless such person or corporation or company has complied with the provisions of this act.

S. B. 102. An act to amend section 2751, Kentucky Statutes, Carroll's edition 1915, providing for the publication of

general ordinances of cities of the first class, being part of an act entitled: An act for the government of cities of the first class, approved July 1, 1893.

S. B. 107. An act to amend an act, entitled: An act to amend and re-enact section 1, chapter 31 of an act entitled: An act providing for the creation of and regulation of private corporations, approved March 21, 1896, and being section 603 of the Kentucky Statutes, approved March 15, 1898.

S. B. 133. An act establishing a State printing office, creating the office of superintendent of State printing and fixing his salary, designating and authorizing the work to be done in the State printing office and making appropriation therefor.

S. B. 148. An act to amend and re-enact section 5 of an act entitled: An act repealing sections 4217, 4217a, of the Kentucky Statutes, and requiring permits for certain kinds of merchants; defining temporary and transcient merchants, and providing for licensing same, regulating the advertising, representations and business of such merchants and prescribing penalties for failure to comply with the provisions of this act, being chapter 111 of the acts of 1916.

S. B. 176. An act to abolish what are commonly known as loan sharks, and license and regulate the busines of lending money in sums of three hundred dollars, or less, secured or unsecured by persons, firms and corporations other than banks, trust companies, pawnbrokers, loan and investment companies, whether such accepted classes operate under law now in force or hereafter passed, providing the charges that may be made for such loans and penalties for violation of the act, and repealing section 4224 Kentucky Statutes, edition of 1915.

S. B. 187. An act to amend an act entitled: An act relating to revenue and taxation, creating a State Tax Commission, providing for the appointment, qualification and term of office of its members, prescribing its powers and duties, ap-

propriating money therefor, providing for the assessment of property for taxation and the supervision and equalization of assessments and prescribing the powers and duties of county clerks, county assessors, sheriffs, collectors, the Railroad Commission, Auditor of Public Accounts and other officers performing some duty in reference to the taxation of prpoerty, creating county boards of supervisors, a State Board of Equalization and a State Board of Valuation and Assessment and defining their powers and duties, prescribing penalties and repealing existing statutes, approved May 21, 1917.

S. B. 219. An act to provide for the assessment of all male persons who have reached their majority for poll tax purposes in any county, city, town, school district or other subdivision of this Commonwealth in which a poll tax is levied, and making it a misdemeanor for any person to fail to comply; prescribing a method of making the said assessment and providing a penalty to be added to all delinquent poll taxes; prescribing a method by which the said assessment and the collection thereof shall be made by the assessing and tax collecting official and prescribing a penalty upon the assessing and tax collecting official who shall fail to comply with the requirements of this act.

S. B. 239. An act entitled an act to repeal and re-enact subsection 4 of section 2739, Kentucky Statutes, Carroll's edition of 1915, relating to motor vehicles.

S. B. 261. An act to amend and re-enact section 4535h and subsections thereof of the Kentucky Statutes, Carroll's edition of 1915, being chapter 47 of the acts of the General Assembly of 1912, approved March 12, 1912, and entitled: An act qualifying and enabling women to vote for the election of school trustees and other school officers chosen by the people, except such officers as women may be disqualified from voting for by the Constitution, and upon school measures or questions submitted to a vote of the people and to hold common school offices, except such offices as women are disqualified from holding by the Constitution.

S. B. 279. An act relating to banks and banking, being an act to amend section 579, Kentucky Statutes, Carroll's edition 1915, entitled: Business—when may begin—powers of corporation.

S. B. 280. An act relating to banks and banking, being an act to amend section 583, Kentucky Statutes, Carroll's edition 1915, entitled: Indebtedness of persons to highest amount permitted.

S. B. 286. An act relating to the supervision of revenue agents, and revenue agents, and placing them under the supervision and direction of the State Tax Commission.

S. B. 305. An act relating to domestic stock fire insurance companies, permiting such companies to issue shares of stock in ten dollar certificates and validating such as may have been heretofore issued.

S. B. 307. An act to amend section 513 of the Kentucky Statutes, Carroll's edition 1915, relating to the indexing of records of county clerks.

S. B. 313. An act to amend section 2218 of the Kentucky Statutes.

S. B. 341. An act to amend section 965, Kentucky Statutes, relating to the time of holding the sessions of circuit court in the twenty-first judicial district.

S. B. 342. An act to more clearly define the method and procedure for the imposition of inheritance taxes on contingent interests or estates and to amend section 4281a to 4281s, both inclusive, Kentucky Statutes, Carroll's 1915 edition, and chapter 26 of the acts of 1916, by prescribing the rate of tax and the method of collecting same on contingent interests or estates and providing for a refund upon the happening of the contingency to persons who are required to pay a less amount than the tax imposed, and paid.

S. B. 345. An act to amend section 2 of chapter 69 of an act of the General Assembly of 1915 which is an act to regulate license and govern use of motor vehicles.

Mr. Hardin, of the Committee on Rules, to which the same had been referred, reported bills, without an expression of opinion, of the following titles, viz.:

S. B. 105. An act to provide an automobile for the use of Commonwealth's attorneys for districts containing cities of the first class, and authorizing the fiscal court of counties containing such districts to furnish and provide for the same and the upkeep of same.

H. B. 458. An act to regulate the standing of male animals for public service, specifying the blood lines of same, requiring registration and providing penalty for violation.

S. B. 274. An act entitled an act to amend sections 854 to 878 both inclusive of the Kentucky Statutes of 1915, compiled by the Hon. John D. Carroll, and to regulate the organization, incorporation and management of building and loan associations, creating the department of building and loan associations in the office of the banking commissioner and providing for the appointment of examiners and prescribing their duties and for the examination of all building and loan associations organized and doing business under the laws of this Commonwealth.

S. B. 48. An act to amend and re-enact section 4023 of the Kenutcky Statutes, Carroll's edition 1915, relating to revenue and taxation.

S. B. 19. An act to amend and re-enact sections 1456, 1457, 1459, 1462 and 1465, Kentucky Statutes, Carroll's edition 1915, relating to elections, subhead how conducted, declaring who is an absent voter, permitting him to register, and to vote in all general elections, except for municipal officers, members of school boards and trustees of common schools and providing a method therefor, and fixing penalties for a violationthereof.

S. B. 144. An act to amend section 438, Civil Code of Practice.

S. B. 203. An act to amend subsection 3 of section 648a of the Kentucky Statutes, being an act of March 24, 1906,

chapter 144 of the acts of 1906, and to amend subsection 3 of section 648a of the Kentucky Statutes, as amended by section 3 of chapter 93 of the acts of 1912.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

The House took up for consideration from the calendar bills of the following titles, viz.:

S. B. 99. An act to amend and re-enact section 1155 of Carroll's Statutes, 1915 edition.

S. B. 141. An act to regulate the use and sale of wood alcohol and fixing a penalty.

S. B. 190. An act to amend section 1349, Kentucky Statutes.

S. B. 282. An act to amend and re-enact chapter 126 of the acts of 1912, being section 4758a of the Kentucky Statutes entitled: An act to regulate the assignment, pledge, sale, etc., of wages.

S. B. 321. An act to create an efficiency and economy commission, prescribing its duties, and fixing for the payment of the expenses thereof.

S. B. 316. An act to create a State Board of Control for the management and supervision of the penal and eleemosynary institutions of this State, to vest in said board all the powers, duties and privileges now vested by law in the Board of Control and the Board of Prison Commissioners of the State of Kentucky, fixing the salaries of the members and terminating the terms of office of the members of said existing boards.

S. B. 317. An act to enlarge and extend the powers, duties and privileges of the Insurance Commissioner and providing for the appointment of a superintendent of fire insurance rates and prescribing his duties and fixing his salary, and abolishing the State Insurance Board, and attorney therefor.

S. B. 318. An act abolishing the offices of State Forester and State Geologist and creating the office of Commissioner

of Geology and Forestry, providing for a deputy and fixing salaries and extending the appropriation to the Kentucky Geological Survey so as to cover the same and that of the State Board of Forestry, repealing portion of sections 1905c, 2007a and 2007b, Kentucky Statutes, Carroll's edition of 1915.

S. B. 324. An act relating to public printing and binding and to require State departments, boards, commissions and institutions to submit annual or biennial reports or special or extraordinary printing to the Board of Printing Commissioners before the printing thereof.

The constitutional provision as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their titles and ordered to be placed in the orders of the day.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills and resolutions of the following titles, viz.:

S. B. 16. An act for the improvement of the public highways of this Commonwealth.

S. B. 92. An act to amend chapter 71 of the acts of the General Assembly of 1916, which is an act to regulate the practice of veterinary medicine, surgery and dentistry in the State of Kentucky, to license non-graduate veterinarians, to establish a State Board of Veterinary Examiners and to provide penalties for violating the provisions thereof, which act was signed by the Governor on March 24, 1916.

S. B. 240. An act entitled an act to amend sections 3486, 3502 of Kentucky Statutes, Carroll's edition 1915, relating to cities of the fourth class.

S. Res. 24. Resolution providing for furnishing Kentucky Directories.

S. Res. 25. Joint resolution for the benefit of Bernard Wells.

Whereupon all other business was suspended, said bills and resolutions were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representativs in open session in the presence of the House affixed his signature to each of said bills and resolutions.

Ordered, that the Enrolling Clerk deliver said bills and resolutions to the Senate.

Mr. Hardin moved that this House do now adjourn.

Said motion was agreed to.

And then the House adjourned to meet again on Monday next, March 18, 1918, at eleven o'clock a. m.

MONDAY, MARCH 18, 1918.

The House was opened with prayer by the Rev. John J. Gravatt, pastor of the Episcopal Church, of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum the call resulted as follows, viz.:

Ed. L. Allen	A. L. Baldwin	Leroy Bonta
Chas. Ashby	Robert Bays	W. P. Bowman
B. S. Bailey	W. T. Beckham	R. J. Cain
L. D. Bauldauf	B. C. Beckmann	T. L. Caudel
J. H. Ballard	H. V. Bell	H. C. Chappell

Fred Cornelius	Griffin Kelly	Ote Piper
W. P. Cropper	W. F. Klair	H. C. Rice
James S. Cruse	H. A. Knollman	Lewis Ryans
J. C. Davis	W. T. Lasley	Avery Sartin
W. G. Dycus	Joseph Lazarus	Joe Schneider
F. A. Easterling	M. E. Lee	R. T. Smith
I. H. Gabbard	J. E. Lilly	T. J. Smith
Lark Garnett	Harry J. Meyers	Thomas Spurrier
M. E. Gilbert	Clarence Miller	Ben Street
W. H. Hager	John T. Murphy	C. M. Thomas
J. S. Hall	Ryland C. Musick	Elmore Thomas
A. L. Hamilton	A. J. McCandless	J. B. Thomas
L. B. Hamilton	W. P. McDonogh	G. F. Thompson
E. C. Hardin	H. C. McGehee	J. T. Thornton
B. H. Harris	S. Lee McGohan	J. Wood Vance
David J. Howard	H. C. McLellen	F. C. VanHoose
Joe Huddleston	W. B. O'Bannon	G. C. Waggoner
A. R. Hudson	A. J. Oliver	G. F. Walthal
Chas. L. Hunter	T. P. Oliver	T. R. Welch
J. W. Johnson	W. F. Paris	W. N. Winn
Leslie P. Jones	Lilburn Phelps	E. G. Young
W. H. Jones	Luther Pieratt	—80

On motion of Mr. Klair the reading of the Journal of Saturday, March 16th, 1918, was dispensed with and the Journal approved.

A message was received from the Senate announcing that they had adopted resolutions which originated in the House of the following titles, vz.:

H. Res. 7. Joint resolution providing for the appointment of a committee to investigate the possibility of establishing a state printery and bindery.

H. Res. 25. A joint resolution to reimburse certain persons in Campbell county for the unexpired term values of their liquor licenses made inoperative by reason of war orders and ordinances pased pursuant thereto.

H. Res. 34. Resolution for the benefit of the Clerks of the House and Senate.

H. Res. 36. Joint resolution providing for the payment of the expenses of a committee appointed to investigate the matter of the removal of the State Board of Health.

Also that they had passed bills originating in the Senate of the following titles, viz.:

S. B. 206. An act to repeal section 2774 of the Kentucky Statutes, Carroll's edition of 1915, concerning the publication of an act entitled an act for the government of cities of the first class, approved July 1, 1893.

To the Committee on Rules.

S. B. 206. An act to repeal section 2774 of the Kentucky Statutes, Carroll's edition of 1915, concerning the publication of an act entitled an act for the government of cities of the first class, approved July 1, 1893.

To the Committee on Rules.

S. B. 207. An act to amend section 2773 of the Kentucky Statutes, Carroll's edition of 1915, concerning the journals of the boards of the general council and the publication of the proceedings of the said boards in cities of the first class, being part of an act entitled an act for the government of cities of the first class, approved July 1, 1893.

To the Committee on Rules.

Mr. Phelps offered the following resolution, viz.:

Whereas, joint resolution No. 27, which was passed by this House, reported in the Senate and referred to the Com-

mittee on Rules, has been lost or misplaced since it was referred; now, therefore,

Be it resolved by the House of Representatives of the Commonwealth of Kentucky:

That the clerk of this House be, and he is, hereby directed to copy said resolution from the House Journal and transmit same, with the proper indorsements thereon showing its passage by this House, to the Senate for such action as that honorable body may see fit to take. The Clerk will also send with joint resolution aforesaid a copy of this resolution.

Said resolution was adopted.

Mr. Brown offered the following joint resolution, viz.:

H. Res. 40. Joint resolution relating to board of health and medical schools of Kentucky.

Whereas, in this time of war there is a great need for physicians and surgeons, and it is apparent that the number of qualified physicians and surgeons in the United States is totally inadequate to meet the demand, and,

Whereas, the medical fraternity of the Commonwealth of Kentucky, in a true patriotic spirit, has answered to the call in this time of stress and have to a very great number enlisted in the service, thus leaving many rural communities without the aid and comfort afforded by the presence of the doctor and surgeon, and,

Whereas, it is clearly to be seen that if the war continues for a period of two, three or more years this condition will be and become critical, and,

Whereas, it is the sense of the General Assembly that this situation should be looked after before it is too late, to the end that the Commonwealth of Kentucky may furnish in

the great cause its quota of physicians and surgeons, and at the same time the citizens of the Commonwealth may have the benefit of the ministrations of the fraternity, therefore,

Be it resolved by the Senate and House of Representatives, the General Assembly of Kentucky:

(1) That the Kentucky State Board of Health be, and they are, now called upon to co-operate with the medical colleges to the fullest extent, to the end that the situation set out in the preamble be relieved.

(2) That it is the sense of the General Assembly that if the said health board and the colleges can, without lowering the present standard, adopt such rules and regulations as would, during the war crisis, offer to young men desiring to practice medicine or surgery, some leniency in examinations or latitude in the rules and regulations, looking to graduation or registration, they should and they are earnestly requested so to do.

(3) That, if under the law, the health board cannot change or alter its rules so as to meet the contingency, that they, the board, co-operate with the schools of medicine, so that said colleges may, for the present, relieve students or those about to matriculate of the stringent rules and regulations, and, if possible, shortening of required terms.

(4) In short, the General Assembly calls upon the said colleges and board of health to do everything in their power which can be legally done to aid the United States in the war in the manner indicated.

(5) The Clerk, should this resolution be passed, is requested to furnish a copy thereof to the Secretary of the State Health Board and to each medical college in the state recognized by the board of health.

Ordered, that said resolution lie on the Clerk's desk.

The House took up for consideration from the calendar bills of the following titles, viz.:

S. B. 105. An act to provide an automobile for the use of Commonwealth's attorney for districts containing cities of the first class, and authorizing the fiscal court of counties containing such districts to furnish and to provide for the same and the upkeep of same.

S. B. 274. An act entitled an act to amend sections 854 to 878, both inclusive, of the Kentucky Statutes of 1915, compiled by Hon. J. D. Carroll, and to regulate the organization, incorporation and management of building and loan associations, creating the department of building and loan associations in the office of the banking commissioner and providing for the appointment of examiners and prescribing their duties and for the examination of all building and loan associations organized and doing business under the laws of this Commonwealth.

S. B. 48. An act to amend and re-enact section 4023 of the Kentucky Statutes, Carroll's edition, 1915, relating to revenue and taxation.

S. B. 19. An act to amend and re-enact sections 1456, 1457, 1459, 1462 and 1465, Kentucky Statutes, Carroll's edition 1915, relating to elections, subhead how conducted, declaring who is an absent voter, permitting him to register and to vote in all general elections, except for municipal officers, members of school boards and trustee of common schools, and providing a method therefor, and fixing penalties for a violation thereof.

S. B. 144. An act to amend section 428, Civil Code of Practice.

S. B. 203. An act to amend subsection 3 of section 648a of the Kentucky Statutes, being an act of March 24, 1906, chapter 144 of the Acts of 1906, and to amend subsection 3

of section 648a of the Kentucky Statutes, as amended by section 3 of chapter 93 of the Acts of 1912.

The constitutional provision as to the second reading of said bills at length being dispensed with said bills were severally read the second time by their title and ordered to be placed in the orders of the day.

The committees to which the same had been referred reported bills of the following titles, viz.:

By Mr. Lee, of the Committee on Military Affairs:

S. B. 195. An act to furthr provide for the organization, armament, equipment, discipline and government of the militia, and providing for the qualifications and terms of office of certain military officers.

By Mr. Cobb, of the Committee on Cities of the Fifth and Sixth Class:

S. B. 65. An act providing for oiling of the streets and alleys of cities and towns of the fourth, fifth and sixth classes of this Commonwealth.

Mr. Garnett, of the Committee on Cities of the Fourth Class, reported to the House that the original Senate Bill No. 164 had been lost in committee and moved that the printed copy of Senate Bill No. 164 be substituted in the place and stead of said original bill.

Said motion was agreed to.

By Mr. Garnett, of the Committee on Cities of the Fourth Class:

S. B. 164. An act to amend charters of cities of the fourth class.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

Mr. Lee moved that the rules be suspended and that Senate Bills No. 206 and 207, which were reported from the Senate today, be given their first reading and placed in the calendar.

Said motion was agreed to.

Said bills were severally read the first time at length and ordered to be placed in the calendar.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 145. An act to amend and re-enact sections 4329 and 4325 and subsections 5, 10, 12, 14, 18 and 25 of section 4356x of Kentucky Statutes, Carroll's edition 1915, relating to public roads.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 4329 of Kentucky Statutes, Carroll's edition, 1915, be, and the same is, amended by striking from line 13, as it appears in said section, the word "two," and inserting in lieu thereof the word "three," and by adding after the period, after the word "day," in the last line of said section the following: "Provided, that a day's work shall consist of not less than eight hours of actual labor," so that said section, as amended and re-enacted, will read as follows:

"The fiscal court or county judge shall employ such agent or agents in the different road precincts of the county as

may be necessay to carry out the provisions of this chapter, and may summarily discharge such employes at pleasure; such employes shall perform service upon the public roads of the county in whatever station employed, according to the direction and in manner prescribed by the fiscal court or county judge. Such employes may receive such compensation per day as may be allowed by the fiscal court. Provided, that every able-bodied man employed to do manual or day labor under the provisions of this chapter on the public roads shall receive the prevailing wages of the vicinity in which the work is to be done, which shall not be less than one dollar nor more than three dollars per day, according to services rendered, except in the case of necessary skilled labor, foremen, and assistant engineers, who shall receive not more than five dollars per day, provided that a day's work shall consist of not less than eight hours of actual labor."

§ 2. That section 4325 of Kentucky Statutes, Carroll's edition, 1915, be, and is, hereby amended by striking out the word "October" wherever it appears in said section and inserting in lieu thereof the word "January," and by adding at the end of said section the following: "The county road engineers, who are now in office, shall continue to serve as such until the first day of January, 1919, unless sooner removed pursuant to the provisions of section 4326 of Kentucky Statutes."

Said section, when thus amended and re-enacted, shall read as follows:

"There is hereby created in the several counties of the state of Kentucky the office of county road engineer. The county judge of each of the counties of this state by and with the consent of the fiscal court may, within thirty days after this law becomes operative, on or before the first day of January, nineteen hundred and fourteen, and every two years thereafter, appoint a county road engineer, who shall be

either a reputable civil engineer or a man who has had practical experience as a road supervisor or builder for two years, and who shall have passed a creditable examination by the State Commissioner of Public Roads or one of his representatives.

"Nothing in this section shall prevent the present county road engineers from serving the term for which they are elected or appointed. Such county road engineer, except the first, as appointed, shall serve a period of two years from and after the first day of January, and until his successor is appointed and qualified. The term of the first one appointed, regardless of when the appointment was made, shall expire January 1, 1914. Vacancies in the office of county road engineer shall be filled by appointment for the unexpired term by the county judge of the county, by and with the consent and approval of the fiscal court. The county road engineer shall receive a salary not less than $600.00 per annum, to be fixed by the fiscal court, which shall be paid as provided in case of other county officials. The county surveyor of the county elected at the last preceding general election may receive such appointment; provided, he be competent as provided by this chapter, and for such service he shall receive the compensation fixed by the fiscal court as provided in this section in lieu of all fees except such fees as are allowed by the law for his services as county surveyor. It shall be the duty of the county clerk to give written notice to the appointees provided in this chapter, of their appointment as soon thereafter as practicable, and each person appointed shall, within ten days after having been notified of such appointment, qualify by giving such bond as the county court may direct for the faithful performance of his duties and shall also take oath to well and truly perform the duties thereof. The county road engineer shall have an office, with proper furniture and equipment, at the county seat of the county. In all counties of the state levying a road tax amounting to over $50,000,

the fiscal court shall furnish the county road engineer with transportation in performing duties connected with the superintending, construction, repair and maintenance of the roads in the county. To this end the fiscal court may purchase or rent teams or automobiles which may be used by the county judge or committees of the fiscal court or board of commissioners for inspection of the roads and to determine recommendations on needed work and repairs; provided that in counties where the fiscal court does not provide for a county road engineer, the services in this act directed to be performed by the county road engineer, except as otherwise herein provided, shall be performed by the county surveyor, or by some other person, designated by the county court, and for such service shall receive the same compensation allowed by law to commissioners for dividing land.

"The county road engineers, who are now in office, shall continue to serve as such until the first day of January, 1919, unless sooner removed pursuant to the provisions of section 4326 of Kentucky Statutes."

§ 3. That subsection 5 of section 4356x of Kentucky Statutes, Carroll's edition, 1915, be, and the same is, hereby repealed, and in lieu thereof the following is hereby enacted:

"The money hereby set apart in the state treasury to the credit of the state roads fund shall be apportioned among the several counties applying for state aid in the manner hereinafter provided, and the amount so proportioned shall be based upon the amount of public donations and taxes levied and collected therein for the building and reconstruction of public roads, and including the taxes collected from year to year to pay the interest on or create a sinking fund for any bonded indebtedness, which has been or may hreafter be created by any county to construct or reconstruct public roads until such county shall have received from the state roads

fund an amount equal to the state's share of the cost of the construction or reconstruction of state aid roads in said county, whether the sum thus appropriated be from the sale of bonds or from direct taxation. Provided that said sum shall be expended in constructing or reconstructing public roads under the direction of the commissioner of public roads.

"It is further provided that any county voting bonds and expending the proceeds of same in building public roads under the direction of the commisioner of public roads may, in case the amount thus expended exceeds the proportional amount, said county may be able to secure from the state roads fund, then in that event, said county shall be entitled to receive from the state roads fund in subsequent years such further amounts as will make the total amount received from said fund equal to the state's share of the cost of all work which has been done under the direction of the commissioner of public roads. Provided that said county shall expend such funds thus secured in constructing and reconstructing public roads. Provided further that no one county shall receive in any one year more than two per cent of the amount collected for state roads funds.

"The amount of taxes upon which this apportionment is based shall include all district and county road taxes and any tolls levied and collected for the construction or reconstruction of any hard-surfaced roads of the counties applying for state aid. Any balance remaining in the state roads fund after one year's apportionment shall be retained and included in the next year's apportionment shall be retained and included in the next year's apportionment.

"Any county desiring to avail itself of state aid for the calendar year of 1919 shall make application therefor to the commissioner of public roads on or before the first day of July, 1918. Thereafter any county seeking state aid shall make application to said commissioner on or before the first day of May in the year next preceding the year in which the state aid fund is to be expended."

§ 4. That subsection 10 of section 4356x of Kentucky Statutes, Carroll's edition, 1915, be, and the same is, hereby repealed and in lieu thereof the following is hereby enacted:

"Section 10. After the fiscal court of any county shall have passed a resolution or order applying for state aid, and designating the road or roads upon which said fund is to be expended, it shall be the duty of the county court clerk to forthwith forward to the commissioner of public roads an attested copy of said resolution or order. The commissioner of public roads shall then cause a survey of said designated road or roads to be made, and plans, profiles, estimates and specifications of the work to be done on the same to be prepared. The plans, profiles and specifications herein provided for shall be made in quadruplicate, one copy to be furnished to the fiscal court of the county and to be kept on file in the office of the county court clerk, one copy to be kept on file in the office of the commissioner of public roads, one copy to be used by the inspector in the field, and one copy to be furnished the contractor doing the work.

"The expense of making the surveys provided for herein shall be paid out of the state roads fund; one-half to be charged to the county and the other half to the state.

"The Commissioner of Public Roads shall not be required to cause a survey to be made in any county of more miles of road than may be built in the year for which application for State aid is made."

§ 5. That subsection 12 of section 4356x, Kentucky Statutes, Carroll's Edition 1915, be and the same is hereby amended by striking out the following language:

"And at least five per centum of the contract price shall not be paid to the contractor until after the expiratioin of one year from the completion of the work and acceptance thereof in writing by the Commissioner of Public Roads."

Said section when thus amended and re-enacted shall read as follows:

"The time and manner of payment for work done under any contract awarded under this act shall be set forth in said contract."

§ 6. That subsection 14 of section 4356x Kentucky Statutes, Carroll's Edition 1915, be and the same is hereby amended by inserting the words "not less than" after the words "the sum of" and before the words "three dollars;" and also inserting the words "not more than five dollars" after the words "three dollars" and before the words "per day" and by striking out the following language "for the one-half of the cost as all roads constructed under this act" and substituting in lieu thereof the following "and charged as a part of the whole cost of the work," so said section when thus amended will read as follows:

Subsection 14. "Immediately after the awarding of said contract under the provisions of this act, the State Commissioner of Public Roads shall appoint a competent inspector to inspect the work required to be performed under such contract who shall receive for his services while actually engaged at work, if not otherwise paid, the sum of not less than three dolars nor more than five dollars per day, to be paid out of the sum apportioned to said county and charged as a part of the whole cost of the work. Such inspector before assuming the duties of his office shall make and subscribe to an oath or affirmation before any officer authorized to administer the same that he will faithfully and to the best of his ability and understanding perform all the duties of his office. The State Commissioner of Public Roads may, however, summarily discharge any inspector and may employ a new inspector in the place of the one so discharged."

§ 7. That subsection 18 of section 4356x Kentucky Statutes, Carroll's Edition 1915, be and the same is hereby repealed and in lieu thereof the following is hereby enacted:

Section 18. The costs of the inter-county seat roads constructed under the provisions of this act shall be paid as follows:

In counties having an assessed valuation of less than $5,000,000, seventy-five per cent shall be paid out of the State roads fund and the remainder shall be paid by the county.

In counties having an assessed valuation of $5,000,000, and less than $6,000,000, seventy-five per cent, shall be paid out of the State roads fund and the remainder shall be paid by the county.

In counties having an assessed valuation of $6,000,000, and less than $8,000,000, sixty-five per cent. shall be paid out of the State road fund and the remainder shall be paid by the county.

In counties having an assessed valuation of $8,000,000, and less than $12,000,000, sixty-five per cent. shall be paid out of the State roads fund and the remainder shall be paid by the county.

In counties having an assessed valuation of $12,000,000, and less than $16,000,000, fifty-five per cent. shall be paid out of the State roads fund and the remainder shall be paid by the county.

In all counties having an assessed valuation of as much as $16,000,000, or more and all counties constructing any other road or roads under the provisions of this act, fifty per cent. shall be paid out of the State roads fund and the remaineder by the county.

The assessed valuation of the various counties shall be ascertained from reports made to the State Tax Commission of the property listed for taxation as of the first day of September next preceding the year in which the State aid fund is to be expended. But no portion of the cost of acquiring any

necessary land or right of way nor any part of any damage incurred, awarded or paid shall be paid out of the money contibuted by the State.

§ 8. That subsection 25 of section 4356x, Kentucky Statutes, Carroll's Edition 1915, be and the same is hereby repealed and in lieu thereof the following is hereby enacted: The General Assembly of the Commonwealth of Kentucky hereby assents to the provisions of the act of Congress, approved July eleven, nineteen hundred and sixteen, entitled "An Act to provide that the United States shall aid the states in the construction of rural post roads, and for other purposes," 39th U. S. Statutes at Large, page three hundred and fifty-five. The Commissioner of Public Roads is hereby authorized to enter into all contracts and agreements with the United States Government relating to the survey, construction and maintenance of roads under the provisions of the said act of Congress, to submit such scheme or program of construction and maintenance as may be required by the Secretary of Agriculture and do all other things necessary fully to carry out the co-operation contemplated and provided for by the said act.

To pay the State's portion for the construction and maintenance of rural post roads as provided for in the Federal Aid Act there is apportioned from the fund provided by this act amounts equal to those that have been or may be allotted to the Commonwealth of Kentucky by the United States Government or as much thereof as may be necessary. The Commissioner of Public Roads is directed and authorized to prepare necessary plans and specifications, to enter into contract for and to supervise the construction of Federal Aid Roads in accordance with the rules and regulations of the Secretary of Agriculture. The State Treasurer is hereby authorized to receive such money as may be due the State under the provisions of the Federal Aid Act and to pay out same upon warrant of the Auditor which shall be issued

in payment of claim certified by the Commissioner of Public Roads.

Section 25. "The Commonwealth of Kentucky hereby accepts and assents to the provisions of the Act of Congress entitled 'An Act to provide that the United States shall aid the states in the construction of rural post roads, and for other purposes in all its terms and conditions,' said act being approved July 11, 1916, and the Commissioner of Public Roads is hereby empowered to let all road contracts and to enter into such co-operative agreement with the United States Government as is required by the laws of the United States for the purpose of obtaining such State aid in building roads, and the total amount of money raised by this act shall be available for use in making such co-operative agreement."

All laws or parts of laws in conflict are hereby repealed.

Mr. Lee moved that the House do now resolve itself into a committee of the whole for five minutes for the purpose of hearing Road Commissioner Wiley explain Senate Bill No. 145.

Said motion was agreed to.

Thereupon Mr. Speaker Crowe designated Mr. Waggoner to preside as Chairman of the Committee of the Whole.

Mr. Speaker Crowe vacated the Chair.

Mr. Waggoner presided as Chairman of the Committee of the Whole.

After a time Mr. Rice moved that the Committee of the Whole rise and report.

Said motion was agreed to.

Mr. Speaker Crowe resumed the chair.

Mr. Waggoner, Chairman of the Committee of the Whole, reported that said committee had heard Commissioner Wiley explain said bill.

The House was then in order.

The Committee on Public Roads and Highways offered the following amendment to Senate Bill No. 145:

Amend Senate Bill No. 145 by striking out all of line 39 in section 8 and by adding section 9, which shall read as follows:

"Section 9. Whereas, a number of the counties in this State are in the immediate need of the relief contained herein, an emergency is hereby declared to exist and this act shall take effect from and after its passage and approval."

Said amendment was adopted.

Mr. Waggoner offered the following amendment to Senate Bill No. 145:

Amend Senate Bill No. 145 by striking out lines 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38.

Said amendment was adopted.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

B. S. Bailey
L. D. Baldauf
J. H. Ballard
A. L. Baldwin
Robert Bays
B. C. Beckmann
H. V. Bell
Leroy Bonta
W. P. Bowman
O. V. Brown
R. J. Cain
H. C. Chappell
Everett Cobb
Fred Cornelius
W. P. Cropper
James S. Cruse
J. C. Davis
A. A. Demunbrun
H. L. Dixon
W. G. Dycus
F. A. Easterling
J. M. Elliston
I. H. Gabbard
Lark Garnett
M. E. Gilbert
W. H. Hager
J. S. Hall
A. L. Hamilton
L. B. Hamilton
B. H. Harris
David J. Howard
Joe Huddleston
A. R. Hudson
Chas. L. Hunter
J. W. Johnson
Leslie P. Jones
W. H. Jones
W. F. Klair
H. A. Knollman
W. T. Lasley
S. D. Laughlin
M. E. Lee
J. E. Lilly
Harry J. Meyers
Clarence Miller
S. H. Moore
John T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
H. C. McGehee
S. Lee McGohan
H. C. McLellen
W. B. O'Bannon
A. J. Oliver
T. P. Oliver
W. F. Paris
Lilburn Phelps
Luther Pieratt
Ote Piper
Richard Radcliffe
H. C. Rice
Lewis Ryans
Avery Sartin
Joe Schneider
Claude B. Smith
R. T. Smith
T. J. Smith
Thomas Spurrier
Ben Street
C. M. Thomas
Elmore Thomas
John B. Thomas
Geo. F. Thompson
J T. Thornton
S. G. Thornberry
J. Wood Vance
F. C. VanHoose
G. C. Waggoner
G. F. Walthal
T. R. Welch
W. N. Winn
E. G. Young

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Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 111: An act for the benefit of Western Kentucky College, making appropriations therefor, providing for State ownership of lands bought or improved, and prescribing regulations for the control of said institution.

Said bill reads as follows, viz:

Whereas, West Kentucky Industrial College is established in the west end of this State, at Paducah, Kentucky, for the mental, moral and physical development of the colored people after the manner of the Booker Washington School of Alabama; and,

Whereas, said college conducts and operates a training school for colored teachers, boys and girls, and there is no Normal School in the west end of our state, and the Kentucky Normal and Industrial Institute at Frankfort, is too remote to afford opportunity for attendance from the west section without great expense; and

Whereas, said college is non-sectarian, and is operated for the common good and not for private gain; and is now in need of funds for further development, now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby appropriated out of the general revenues of the state out of any funds not otherwise appropriated, for the benefit of the West Kentucky Industrial College, at Paducah, Kentucky, for colored persons, the fol-

lowing named sums for the specific purposes named and set out herein as follows:

(a) For the maintenance and operation of said college, the sum of three thousand dollars is hereby annually appropriated; provided, the said college gives free tuition to colored teachers taking a training course to teach in the colored common schools of Kentucky and free tuition to colored boys and girls who have attained the age of sixteen and have completed the common school course of this state; but no part of this annual appropriation may be used for the purchase or the improvement of real estate.

(b) For completing and equipping the building now in use and the payment of debts against same, the sum of five thousand dollars is hereby appropriated out of the general revenues of the State not otherwise appropriated.

(c) That neither of said appropriations shall be paid by the State Treasurer to the officers of said college, payment to whom is hereinafter provided, until the building and site now owned by said college, have been conveyed to the Commonwealth of Kentucky, and title to same has been inspected and approved by the Attorney General, and upon certification of said conveyance, inspection and approval by the Attorney General, the said sums shall be due and payable by the State Treasurer to the officers of said college hereinafter named.

(d) That when teachers and students will have completed a prescribed course that has been approved by the Superintendent of Public Instruction, the said college may, upon conditions prescribed by the State Board of Education, issue to such persons certificates of graduation, which certificates, when signed by the Superintendent of Public Instruction, shall entitle the holder to teach in the colored common schools of this State in the same manner and duration as diplomas issued or granted by the Colored Kentucky Normal and Industrial Institute at Frankfort, Kentucky.

(e) That the sums of money hereby appropriated, shall be paid to the County Superintendent of the common schools of McCracken county and shall be used as herein directed, under the supervision of the Board of Trustees for said industrial college as hereinafter provided for.

(f) That the foregoing named common school superintendent shall before receiving the sums above set out, execute bond to the Commonwealth of Kentucky to be approved by the County Judge of McCracken county and recorded in the clerk's office of said county, in a sum twice the amount which come to or be in his hands under this act at any one time.

(g) The President of the College, the County Superintendent of Common Schools of McCracken county, both of whom shall be ex-officio members of the board, and three trustees to be appointed by the Governor, shall constitute the "Board of Trustees for the West Kentucky Industrial College" and shall have general supervision of its affairs and the expenditure of the appropriation herein made. Each of said trustees, to be appointed by the Governor, shall hold said office of trustee for a term of two years unless removed for cause. One of said trustees shall be a resident and citizen of McCracken county and the remaining two trustees shall be citizens and residents of the First Appellate District. The said Board of Trustees of the West Kentucky Industrial College shall have power to adopt by-laws, rules and regulations for the government of its members, official agents, employees and the general management of said college, providing such by-laws shall be approved by the State Superintendent of Public Instruction and not conflict with the Constitution of the United States or with the Constitution of the State of Kentucky, or laws thereof.

§ 2. The Board of Trustees shall annually make a written report of their action hereunder to the Superintendent of Public Instruction of the Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The constutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were:

Chas. Ashby	J. S. Hall	A. J. Oliver
B. S. Bailey	B. H. Harris	W. F. Paris
L. D. Baldauf	David J. Howard	Luther Pieratt
J. H. Ballard	Joe Huddleston	Ote Piper
Robert Bays	A. R. Hudson	Avery Sartin
B. C. Beckmann	J. W. Johnson	Joe Schneider
W. P. Bowman	Leslie P. Jones	Claude B. Smith
O. V. Brown	Griffin Kelly	R. T. Smith
R. J. Cain	W. F. Klair	Thomas Spurrier
H. C. Chappell	H. A. Knollman	Ben Street
Everett Cobb	Joseph Lazarus	C. M. Thomas
W. P. Cropper	J. E. Lilly	John B. Thomas
James S. Cruse	Clarence Miller	Geo. F. Thompson
J. C. Davis	S. H. Moore	J. T. Thornton
A. A. Demunbrun	John T. Murphy	J. Wood Vance
H. Lawrence Dixon	Ryland C. Musick	F. C. VanHoose
W. G. Dycus	A. J. McCandless	G. C. Waggoner
F. A. Easterling	W. P. McDonogh	G. F. Walthal
J. M. Elliston	H. C. McGehee	T. R. Welch
Lark Garnett	S. Lee McGohan	W. N. Winn
M. E. Gilbert	W. B. O'Bannon	E. G. Young

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Resolved, that the title thereof be as aforesaid.

Mr. Lee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 169: An act to repeal and re-enact section 12 of chapter 43, Acts of the General Assembly of 1916, which act is entitled: An act to amend and re-enact chapter 142 of the Acts of the General Assembly of the Commonwealth, approved March 19, 1912, entitled: An act to provide for the organization, armament, discipline and government of the militia, and in so doing to provide for the organization, armament, equipment, discipline and government of a State Guard, and making an appropriation for same.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 12, sub-section 1. That section 12 of chapter 43, of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 23, 1916, entitled, "An Act to amend and re-enact chapter 142 of the Acts of the General Assembly of the Commonwealth of Kentucky," approved March 12, 1912, entitled, "An Act to provide for the organization, armament, equipment, discipline and government of the militia," be, and the same is repealed and re-enacted, and as re-enacted said section shall be and read as follows, to-wit:

Sub-section 2. State Guard to be Organized and Employed. The Governor is hereby authorized to organize, arm, equip, maintain, control, regulate and train a State Guard, in numbers not to exceed at any time five hundred officers and men, said guard to be composed of volunteers from the reserve militia of the Commonwealth, and when organized to be known as the Kentucky State Guard, and to do service only within the confines of the Commonwealth of Kentucky.

Sub-section 3. In the organization, enlistment, equipment, armanent, discipline, government, regulation, pay,

service, trials, discharge and mustering out of said Kentucky State Guard, the provisions of this act, beginning with section 1, and ending with section 143, shall apply in every particular with the following exceptions, to-wit:

(a) The oath to be taken by each applicant shall be the same as set out in section 35 hereof, except in preparing the blank form of oath it shall not contain the following words of said section, to-wit, "the President of the United States."

(b) Any person enlisted in the Kentucky State Guard, called, or volunteering into any branch of the National Army service, shall, upon notification to the Governor of his acceptance into said national service, be at once discharged by the Governor.

(c) Within one year after peace has been declared and ratified by the proper authorities of the United States, the Governor may in his discretion muster out the entire Kentucky State Guard, or any part thereof, and when the entire guard is mustered out the appropriation herein for State Guard purposes shall cease.

Sub-section 4. For the purposes of organizing, equipping, arming, maintaining and training the Kentucky State Guard, as is herein provided, there is hereby appropriated out of any funds in the treasury, not otherwise appropriated, the sum of twenty thousand dollars, and an annual appropriation of fifteen thousand dollars, to be paid out and disbursed in the same manner and by the same authorities as is provided in section 53 of this act; provided, however, that the annual appropriation herein shall be for three years from the date of the passage of this act, unless the proper authorities shall prior to the end of the three years, muster out the entire State Guard, in which event the appropriation shall then cease to be available, and any unused part thereof shall revert to the General Expenditure Fund of the Commonwealth; and provided further that the Governor may in his discretion disburse any part of the appropriation provided in section 53

hereof, for the equipment or maintenance of the Kentucky State Guard, in the same manner as is therein provided, specifically and generally, for the expenditure of the Military Fund, and as is herein provided for the appropriation herein made.

Sub-section 5. As there is now no Guard in the Commonwealth available for emergency service within the Commonwealth, nor is there likelihood to be such Guard during the period of the war, nor possibly long thereafter, an emergency is declared to exist and this act shall be and become effective upon its passage and approval.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Chas. Ashby	W. P. Cropper	A. R. Hudson
B. S. Bailey	James S. Cruse	Chas. L. Hunter
J. H. Ballard	A. A. Demunbrun	J. W. Johnson
A. L. Baldwin	H. L. Dixon	Leslie P. Jones
Robert Bays	W. G. Dycus	Griffin Kelly
W. T. Beckham	J. M. Elliston	W. F. Klair
B. C. Beckmann	I. H. Gabbard	H. A. Knollmann
Leroy Bonta	W. H. Hager	W. T. Lasley
W. P. Bowman	J. S. Hall	Joseph Lazarus
O. V. Brown	L. B. Hamilton	M. E. Lee
R. J. Cain	B. H. Harris	J. E. Lilly
H. C. Chappell	David J. Howard	Harry J. Meyers
Everett Cobb	Joe Huddleston	Clarence Miller

S. H. Moore	Luther Pieratt	J. B. Thomas
Ryland C. Musick	Richard Radcliffe	Geo. F. Thompson
W. P. McDonogh	Lewis Ryans	S. G. Thornberry
H. C. McGehee	Joe Schneider	J. Wood Vance
S. Lee McGohan	Claude B. Smith	F. C. VanHoose
H. C. McLellen	R. T. Smith	G. C. Waggoner
W. B. O'Bannon	T. J. Smith	G. F. Walthal
T. P. Oliver	Ben Street	T. R. Welch
W. F. Paris	C. M. Thomas	W. N. Winn
Lilburn Phelps	Elmore Thomas	E. G. Young

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Those who voted in the affirmative were—

A. J. McCandless J. T. Thornton —2

Mr. Lee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 308: An act to amend section 4706, Carroll's Kentucky Statutes, 1915, entitled: Investment of funds by fiduciary.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 4706 of the Kentucky Statutes be amended by adding thereto the following words:

"Provided, however, that it shall be lawful for persons or corporations, holding funds in a fiduciary capacity for

loan, or investment, to invest the same in securities authorized by an act of Congress entitled 'The Federal Farm Loan Act,' approved July 17, 1916, and known as 'Federal Farm Loan Bonds.' ''

So that said section, as amended, shall read as follows:

''That it shall be lawful for persons or corporations holding funds in a fiduciary capacity for loan or investment, to invest the same in real estate, mortgage notes or bonds, or in such other interest-bearing or dividend-paying securities as are regarded by prudent business men as safe investments, and to make loans with such securities as collateral; but such funds shall not be invested in the bonds or securities of any railroad, or other corporation, unless such railroad or other corporation has been in operation more than ten years, and, during that time, has not defaulted in the payment of principal or interest on its bonded debt, or be invested in the bonds of a county, district, town or city that, within ten years, has defaulted in the payment of the interest or principal of its bonded debt; and a fiduciary shall account for all interest or profit received; provided, however, that it shall be lawful for persons, or corporations, holding funds in a fiduciary capacity for loan, or investment, to invest the same in securities authorized by an Act of Congress entitled 'The Federal Farm Loan Act,' as approved July 17, 1916, and known as 'Federal Farm Loan Bonds.' ''

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Chas. Ashby	Joe Huddleston	A. J. Oliver
B. S. Bailey	A. R. Hudson	Lilburn Phelps
L. D. Baldauf	Chas. L. Hunter	Ote Piper
J. H. Ballard	J. W. Johnson	Richard Radcliffe
W. T. Beckham	Leslie P. Jones	Lewis Ryans
B. C. Beckmann	Griffin Kelly	Avery Sartin
W. P. Bowman	W. F. Klair	Joe Schneider
O. V. Brown	H. A. Knollmann	Claude B. Smith
R. J. Cain	W. T. Lasley	T. J. Smith
H. C. Chappell	S. D. Laughlin	R. T. Smith
Everett Cobb	Joseph Lazarus	Thomas Spurrier
Fred Cornelius	M. E. Lee	Ben Street
W. P. Cropper	J. E. Lilly	C. M. Thomas
James S. Cruse	Harry J. Meyers	Elmore Thomas
J. C. Davis	Clarence Miller	John B. Thomas
A. A. Demunbrun	S. H. Moore	Geo. F. Thompson
H. L. Dixon	John T. Murphy	J. T. Thornton
W. G. Dycus	Ryland C. Musick	J. Wood Vance
I. H. Gabbard	A. J. McCandless	F. C. VanHoose
M. E. Gilbert	W. P. McDonogh	G. F. Walthal
W. H. Hager	H. C. McGehee	T. R. Welch
L. B. Hamilton	S. Lee McGohan	E. G. Young
B. H. Harris	H. C. McLellen	
David J. Howard	W. B. O'Bannon	—70

Resolved, that the title thereof be as aforesaid.

Mr. Lee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 21. An act relating to charitable institutions and to appropriate money to the Eastern State Hospital, the Wes-

tern State Hospital, the Central State Hospital, and the Kentucky Institute for Feeble Minded Children, to pay existing indebtedness of and deficits in accounts of aforesaid charitable institutions and to provide for certain improvements at the Western State Hospital and the Eastern State Hospital.

Said bill reads as follows, viz:

Whereas, It is conceded without argument, because of the enormous increase in the prices of commodities and necessities in the last few years, and particularly in the last twelve months, to such an extent that it has been and is utterly impossible for the charitable institutions of the Commonwealth to live and to have existed within the means provided by the laws fixing the per capita allowance of said institutions; and,

Whereas, Due to said increased prices, it was necessary to incur indebtedness or to close the institutions and return the numerous unfortunate inmates thereof to their respective counties to become charges thereupon; and,

Whereas, In view of the premises set out, it was absolutely necessary for the following institutions to incur the amounts of indebtedness herein set out up to March 1st, 1918, without the expenditure of all the funds in the local treasury, which are necessary to pay the employes and emergencies of the institution, to-wit:

Kentucky Institute for Feeble Minded	$30,369.94
Eastern State Hospital	29,537.34
Central State Hospital	60,464.16
Western State Hospital	38,293.48

Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and there now is appropriated the following sums to the following named institutions of the Commonwealth of Kentucky, to-wit:

To and for the use of the Eastern Hospital, $29,537.34, and in addition thereto the sum of $5,000.00 to be used for the purpose of repairing boilers for the heating plant at said hospital or for installing new boilers.

To and for the use of the Central State Hospital the sum of $60,464.16, and to and for the use of the Western State Hospital, the sum of $38,293.48, and in addition thereto the sum of $10,000.00 to be used for the segregation and care of the tubercular patients at said hospital; each of said sums appropriated to be used exclusively for the payment of the respective indebtedness aforesaid, and said additional sums for the purpose herein set out, and for said sums the Auditor shall draw warrants payable as and in the same manner as warrants are drawn and payments mde to the foregoing institutions.

As the greater part of the sums hereinbefore set out are long since due and payable on behalf of the aforesaid institutions, an emergency is declared to exist and this act shall become a law as soon as enacted and duly approved by the Governor of the Commonwealth.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Chas. Ashby	A. L. Baldwin	B. C. Beckmann
B. S. Bailey	Robert Bays	W. P. Bowman
J. H. Ballard	W. T. Beckham	O. V. Brown

R. J. Cain	W. H. Jones	Ote Piper
H. C. Chappell	W. F. Klair	H. C. Rice
Everett Cobb	H. A. Knollmann	Lewis Ryans
Fred Cornelius	W. T. Lasley	Avery Sartin
W. P. Cropper	S. D. Laughlin	Joe Schneider
A. A. Demunbrun	Joseph Lazarus	Claude B. Smith
H. L. Dixon	M. E. Lee	Thomas Spurrier
W. G. Dycus	J. E. Lilly	Ben Street
F. A. Easterling	S. H. Moore	Elmore Thomas
I. H. Gabbard	John T. Murphy	John B. Thomas
W. H. Hager	A. J. McCandless	Geo. F. Thompson
L. B. Hamilton	W. P. McDonogh	J. Wood Vance
B. H. Harris	H. C. McGehee	F. C. VanHoose
David J. Howard	S. Lee McGohan	G. C. Waggoner
Joe Huddleston	H. C. McLellen	G. F. Walthal
A. R. Hudson	W. B. O'Bannon	T. R. Welch
Chas. L. Hunter	A. J. Oliver	W. N. Winn
J. W. Johnson	W. F. Paris	E. G. Young
Leslie P. Jones	Lilburn Phelps	—65

Resolved, that the title thereof be as aforesaid.

Mr. Lee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 245. An act to amend section 227 of the Constitution of the Commonwealth relating to the removal of officers for misfeasance, malfeasance, or neglect of duty.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That upon the concurrence of three-fifths of all the members selected to each house of the General Assembly, the

yeas and nays being taken thereon and entered in full in their respective journals, that section 227, of the Constitution be amended by adding after the last word in the section as it now appears, the following:

"Provided, also that the General Assembly may, in addition to the indictment or prosecution above provided, by general law provide other manner, method or mode for the vacation of office, or the removal from office, of any sheriff, jailer, constable or peace officer, for neglect of duty, and may provide the method, manner or mode of reinstatement of such officer."

So that said section as amended will read as follows:

Section 227. Judges of the county court, justices of the peace, sheriffs, coroners, surveyors, jailers, assessors, county attorneys and constables shall be subject to indictment and prosecution for misfeasance or malfeasance in office, or willful neglect in discharge of official duties, in such mode as may be prescribed by law; and upon conviction his office shall become vacant, but such officer shall have the right to appeal to the Court of Appeals. Provided, also, that the General Assembly may, in addition to the indictment or prosecution above provided, by general law provide other manner, method or mode for the vacation of office, or the removal from office of any sheriff, jailer, constable or peace officer, for neglect of duty, and may provide the method, manner, or mode of reinstatement of such officers.

The foregoing amendment shall be submitted to the voters of the State for their ratification or rejection at the time and in the manner provided for under section 256 of the Constitution of Kentucky, and section 1459 Kentucky Statutes, 1915 edition, and all and any other laws pertinent thereto.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

B. S. Bailey
L. D. Baldauf
A. L. Baldwin
Robert Bays
W. T. Beckham
B. C. Beckmann
R. J. Cain
T. L. Caudel
H. C. Chappell
Everett Cobb
John Cook
Fred Cornelius
W. P. Cropper
J. C. Davis
A. A. Demunbrun
H. L. Dixon
W. G. Dycus
F. A. Easterling
J. M. Elliston
Lark Garnett
M. E. Gilbert
W. H. Hager
L. B. Hamilton
B. H. Harris
David J. Howard
A. R. Hudson
Chas. L. Hunter
J. W. Johnson
Leslie P. Jones
W. H. Jones
Griffin Kelly
W. F. Klair
H. A. Knollman
S. D. Laughlin
Joseph Lazarus
M. E. Lee
J. E. Lilly
S. H. Moore
John T. Murphy
A. J. McCandless
W. P. McDonogh
H. C. McGehee
S. Lee McGohan
H. C. McLellen
W. B. O'Bannon
A. J. Oliver
T. P. Oliver
W. F. Paris
Luther Pieratt
Ote Piper
Richard Radcliffe
H. C. Rice
Avery Sartin
Joe Schneider
Claude B. Smith
R. T. Smith
T. J. Smith
Thomas Spurrier
Ben Street
John W. Swope
John B. Thomas
Geo. F. Thompson
S. G. Thornberry
J. Wood Vance
F. C. VanHoose
G. C. Waggoner
G. F. Walthal
T. R. Welch
W. N. Winn
E. G. Young

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Resolved, that the title thereof be as aforesaid.

Mr. Lee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a resolution of the following title, viz:

H. Res. 37. Resolution for the benefit of Edward L. Allen, G. Frank Wathal, A. F. Hanberry and S. F. Day.

Whereupon all other business was suspended, said resolution was read at length and compared in open House and was found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said resolution.

Ordered, that the enrolling clerk deliver said resolution to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled resolution which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled resolution which originated in the House and which has been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Klair moved that the House recess until two o'clock P. M.

Said motion was agreed to.

AFTERNOON SESSION.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz:

Ed. L. Allen	J. M. Elliston	S. H. Moore
Chas. Ashby	I. H. Gabbard	John T. Murphy
B. S. Bailey	Lark Garnett	Ryland C. Musick
L. D. Baldauf	M. E. Gilbert	A. J. McCandless
J. H. Ballard	W. H. Hager	W. P. McDonogh
A. L. Baldwin	J. S. Hall	H. C. McGehee
Robert Bays	A. L. Hamilton	S. Lee McGohan
W. T. Beckham	L. B. Hamilton	H. C. McLellen
B. C. Beckmann	E. C. Hardin	W. B. O'Bannon
H. V. Bell	B. H. Harris	A. J. Oliver
Leroy Bonta	David J. Howard	T. P. Oliver
W. P. Bowman	Joe Huddleston	W. F. Paris
R. J. Cain	A. R. Hudson	Lilburn Phelps
T. L. Caudel	Chas. L. Hunter	Luther Pieratt
H. C. Chappell	J. W. Johnson	Ote Piper
Everett Cobb	Leslie P. Jones	H. C. Rice
John Cook	W. H. Jones	Lewis Ryans
A. S. Cooper	Griffin Kelly	Avery Sartin
Fred Cornelius	W. F. Klair	Joe Schneider
W. P. Cropper	H. A. Knollmann	R. T. Smith
James S. Cruse	W. T. Lasley	T. J. Smith
J. C. Davis	S. D. Laughlin	Thomas Spurrier
A. A. Demunbrun	Joseph Lazarus	Ben Street
Harry Dill	M. E. Lee	John W. Swope
H. Lawrence Dixon	J. E. Lilly	C. M. Thomas
W. G. Dycus	Harry J. Meyers	Elmore Thomas
F. A. Easterling	Clarence Miller	John B. Thomas

Geo. F. Thompson	F. C. VanHoose	W. N. Winn	
J. T. Thornton	G. C. Waggoner	E. G. Young	
S. G. Thornberry	G. F. Walthal		
J. Wood Vance	T. R. Welch		—91

Mr. Lee moved that the session be extended indefinitely.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in the House of the following titles, viz:

H. B. 359. An act relating to the drainage and the prevention of overflow of lands, towns, cities, roads, streets, the establishment, organization and maintenance of drainage, levee, and reclamation districts, the construction and maintenance of public ditches, canals, drains, sewers, dams, levees, and the straightening, widening, deepening, enlarging, and otherwise improving public ditches, drains, creeks, rivers or other streams, prescribing the method of procedure, the levying and collection of assessments for the payment of the costs and expenses of establishing and organizing such districts, the construction of such improvements, creating and incorporating boards of drainage comissioners, and prescribing the duties of commissioners and other officers and employees, and providing for the payment of such officers and employees performing duties, the issuing and selling of district bonds, with which to secure the funds with which to defray the cost and expenses of improvements hereunder.

H. B. 165. An act to repeal section 1342b of the Kentucky Statutes, Carroll's Edition 1915, and to re-enact the same.

H. B. 198. An act to amend section 2380 of the Kentucky Statutes, Carroll's Edition 1915, and sub-sections 2, 7, 10, 31,

34 and 49 of said section, and to enact sub-section 49a of said section.

H. B. 211. An act concerning loan and investment companies in cities of the first and second class, defining same and providing for the incorporation, powers, supervision and control of such companies.

H. B. 97. An act for the benefit of the Kentucky School for the Blind, to provide an increase in the annual appropriation for the white department and for the colored department and to make annual appropriation for the education and vocational training of the adult blind of Kentucky.

H. B. 216. An act to amend section 3490, Kentucky Statutes, Carroll's Edition 1915, being an act entitled: An act to amend an act entitled: An act for the government of cities of the fourth class, approved March 19, 1912, and being a part of charters of cities of the fourth class, be and the same is amended by adding sub-section 36.

H. B. 32. An act to amend and re-enact sections 3374 and 3379 of Kentucky Statutes, Carroll's Edition of 1915.

H. B. 10. An act amending section 612a, Carroll's Kentucky Statutes, relating to combined bank and trust companies, providing the manner in which combined bank and trust companies may be organized, fixing the amount of capital of combined bank and trust companies and providing how the capital or combined bank and trust companies shall be used or employed.

H. B. 126. An act to provide whole family protection for members of fraternal benefit societies.

(For said bill see H. J. February 8, 1918.)

With Senate amendments thereto.

Said amendments are as follows, viz:

(1) Amend section 1 by striking out the following words in lines three, four and five and six: "For the payment

of death or annuity benefits upon the lives of children between the ages of two and eighteen years at next birthday, (for house support and maintenance a member of such society is responsible)"—and insert in lieu thereof the following words: "For the payment of sick, death or annuity benefits upon lives of children between the ages of one and eighteen years who have been examined and approved in accordance with the laws of such society."

(2) Amend the title to said bill by striking out all of same and substituting in lieu thereof the following words: "An Act authorizing fraternal benefit socities to issue certifices for the payment of sick, death or annuity benefits upon the lives of children."

Mr. Brown moved that the House do now concur in said Senate amendments proposed to House Bill No. 126.

Said motion was agreed to.

Said amendments were concurred in.

The House then took up for consideration the final passage of said House Bill No. 126, together with Senate amendments proposed thereto, and the yeas and nays being taken on the final passage of said bill, as amended by the Senate, in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were—

Chas. Ashby	O. V. Brown	J. C. Davis
B. S. Bailey	R. J. Cain	A. A. Demunbrun
Robert Bays	H. C. Chappell	H. Lawrence Dixon
W. T. Beckham	Everett Cobb	W. G. Dycus
B. C. Beckmann	John Cook	J. M. Elliston
H. V. Bell	A. S. Cooper	L. L. Embry
Leroy Bonta	W. P. Cropper	I. H. Gabbard
J. L. Bradford	James S. Cruse	W. H. Hager

J. S. Hall	Clarence Miller	Lewis Ryans
A. L. Hamilton	John T. Murphy	Joe Schneider
L. B. Hamilton	Ryland C. Musick	R. T. Smith
E. C. Hardin	A. J. McCandless	Ben Street
B. H. Harris	H. C. McGehee	John W. Swope
David J. Howard	S. Lee McGohan	Elmore Thomas
Joe Huddleston	H. C. McLellen	G. F. Thompson
Chas. L. Hunter	W. B. O'Bannon	J. T. Thornton
J. W. Johnson	A. J. Oliver	S. G. Thornberry
W. H. Jones	T. P. Oliver	F. C. VanHoose
H. A. Knollman	W. F. Paris	G. F. Walthal
S. D. Laughlin	Luther Pieratt	E. G. Young
Joseph Lazarus	Ote Piper	
Harry J. Meyers	H. C. Rice	—64

Mr. Thornton moved that Master Harry Dill, son of Representative Dill, be made an honorary page for today.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 79. An act relating to charitable institutions, and providing and appropriating an annual per capita for the pauper and part pay inmates of the Eastern, Western and Central State Hospitals, and for the Kentucky Institute for Feeble Minded Children, and fixing the amount of per capita to be paid by inmates of said institutions who may be able to pay, and repealing laws in conflict.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The annual per capita appropriations for the years 1918 and 1919, and until June 30, 1920, to the institutes named

in Section 2 shall be, and are and shall not exceed the sum of one hundred and ninety dollars per annum.

§ 2. The Board of Control and the Superintendents, respectively, of the Eastern, Western and Central State Hospitals, and of the Kentucky Institute for Feeble Minded Children, shall, at the end of each and every month, jointly certify to the Auditor of Public Accounts the number of inmates actually supported by the institutions, specifying the number of inmates who pay nothing, the number who pay in full and the number who pay in part, and if paying in part the amount so being paid, and the Auditor shall, in the manner provided by law, draw his warrant for each pauper patient in the sum and at the rate of fifteen dollars, eighty-three and one-third cents per month; and for each part pay inmate or patient for the difference between the amount shown to be paid and the sum of fifteen dollars, eighty-three and one-third cents per month, the total in any one year for any one inmate not to exceed the sum of one hundred and ninety dollars.

§ 3. Part pay and full pay patients or inmates are to be charged, and are to pay at the rate of fifteen dollars, eighty-three and one-third cents per month, and for special attention patients or inmates who are able to pay more may pay such a monthly sum as may be agreed upon by the head of the institutions and the friends or relatives of such patient or inmate, not, however, to exceed ten dollars per month.

§ 4. It is the intention of the General Assembly in enacting this law to fix the per capita of each of the institutions above named at the rate of one hundred and ninety dollars annuallly, and any and all laws fixing any other per capita rate and all laws in conflict herewith are hereby repealed, but this act shall not be held to repeal any law making general appropriations to any of the above named institutions.

§ 5. It is beyond argument that the prices of commodities and necessities have advanced greatly in the last twenty-four months, and that the institutions named cannot be operated on the present per capita and appropriations; hence, an

emergency is declared to exist, and this law shall become effective for all purposes as soon as enacted and approved.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

B. S. Bailey
L. D. Baldauf
A. L. Baldwin
W. T. Beckham
B. C. Beckmann
H. V. Bell
Leroy Bonta
W. P. Bowman
J. L. Bradford
O. V. Brown
R. J. Cain
H. C. Chappell
Everett Cobb
John Cook
A. S. Cooper
Fred Cornelius
W. P. Cropper
James S. Cruse
J. C. Davis
A. A. Demunbrun
H. L. Dixon
W. G. Dycus
J. M. Elliston
I. H. Gabbard
Lark Garnett
W. H. Hager
A. L. Hamilton
L. B. Hamilton
E. C. Hardin
David J. Howard
A. R. Hudson
Chas. L. Hunter
J. W. Johnson
Leslie P. Jones
W. H. Jones
Griffin Kelly
W. F. Klair
H. A. Knollman
Joseph Lazarus
M. E. Lee
J. E. Lilly
H. J. Meyers
S. H. Moore
John T. Murphy
A. J. McCandless
W. P. McDonogh
H. C. McGehee
S. Lee McGohan
H. C. McLellen
W. B. O'Bannon
A. J. Oliver
T. P. Oliver
W. F. Paris
Lilburn Phelps
Luther Pieratt
Ote Piper
H. C. Rice
Lewis Ryans
Avery Sartin
Joe Schneider
Claude B. Smith
R. T. Smith
T. J. Smith
Thomas Spurrier
Ben Street
John W. Swope
J. B. Thomas
G. F. Thompson
J. T. Thornton

S. G. Thornberry	G. C. Waggoner	E. G. Young
J. Wood Vance	G. F. Walthal	
F. C. VanHoose	T. R. Welch	—76

Resolved, that the title thereof be as aforesaid.

Mr. Lee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 76. An act to amend subsection 12, section 3290, chapter 89, of the Kentucky Statutes, relating to the government of third class cities.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That subsection 12, of section 3290, chapter 89 of the Kentucky Statutes be and same is hereby amended by adding after the last word thereof, the following:

"Provided, however, that the limitation hereinbefore prescribed of the tax that may be levied for school purposes shall not apply where a bonded indebtedness has been incurred for the construction, improvement or acquisition of school buildings or property and when such an indebtedness has been incurred that there may be levied, in addition to the tax hereinbefore authorized, an annual ad valorem tax sufficient to pay the interest on said indebtedness and also to constitute a sinking fund for the payment of the principal thereof. The provisions hereof shall apply to any bonded indebtedness whether heretofore or hereafter created."

So that said subsection 12, as amended, shall read as follows, to-wit:

"12. Ad Valorem and Poll Tax and License Fees.—Each city shall raise a revenue from ad valorem taxes and a poll tax and license fees, and to that end the common council of each city is hereby authorized and empowered to provide each year by ordinance for the assessment of all real and personal estate within the corporate limits thereof, subject to taxation for State purposes, and shall levy an ad valorem tax on same, not exceeding the rate and limit prescribed in the Constitution; and for school purposes, not exceeding fifty cents on each one hundred dollars of taxable property therein, or such portion of the poll tax or license fees as the council may designate; to levy a poll tax not exceeding one dollar and fifty cents on each adult male inhabitant thereof, and may impose license fees on stock used for breeding purposes, on franchises, trades, occupations and professions, and provide for the collection thereof. All taxes and license fees shall be levied or imposed by ordinance, and the purpose or purposes for which the same are levied or imposed shall be specified therein, and the revenue therefrom shall be expended for no other purpose than that for which it is collected.

"Provided, however, that the limitation hereinbefore prescribed of the tax that may be levied for school purposes shall not apply where a bonded indebtedness has been incurred for the construction, improvement or acquisition of school buildings or property, and when such an indebtedness has been incurred that there may be levied, in addition to the tax hereinbefore authorized, an annual ad valorem tax sufficient to pay the interest on said indebtedness and also to constitute a sinking fund for the payment of the principal thereof. The provisions hereof shall apply to any bonded indebtedness whether heretofore or hereafter created."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby
L. D. Baldauf
A. L. Baldwin
W. T. Beckham
B. C. Beckmann
H. V. Bell
Leroy Bonta
W. P. Bowman
J. L. Bradford
O. V. Brown
R. J. Cain
H. C. Chappell
Everett Cobb
John Cook
A. S. Cooper
W. P. Cropper
James S. Cruse
J. C. Davis
A. A. Demunbrun
H. L. Dixon
W. G. Dycus
J. M. Elliston
I. H. Gabbard
Lark Garnett
M. E. Gilbert
W. H. Hager
A. L. Hamilton
L. B. Hamilton
B. H. Harris
A. R. Hudson
Chas. L. Hunter
J. W. Johnson
Leslie P. Jones
Griffin Kelly
H. A. Knollmann
S. D. Laughlin
Joseph Lazarus
M. E. Lee
J. E. Lilly
H. J. Meyers
John T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
H. C. McGehee
S. Lee McGohan
W. B. O'Bannon
A. J. Oliver
T. P. Oliver
W. F. Paris
Lilburn Phelps
Ote Piper
H. C. Rice
Lewis Ryans
Avery Sartin
Joe Schneider
Claude B. Smith
R. T. Smith
T. J. Smith
Ben Street
C. M. Thomas
Elmore Thomas
Geo. F. Thompson
J. T. Thornton
S. G. Thornberry
J. Wood Vance
F. C. VanHoose
G. C. Waggoner
G. F. Walthal
W. N. Winn
E. G. Young

—71

Resolved, that the title thereof be as aforesaid.

Mr. Lee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 83. An act for the benefit of the Kentucky Normal and Industrial Institute for Colored Persons.

Said bill reads as follows, viz.:

Whereas, the house occupied by the President of the Kentucky Normal and Industrial Institute for Colored Persons is not a comfortable, safe or suitable house for a residence, and,

Whereas a new barn and certain minor improvements on the premises of said institution are necessary and urgently needed, and,

Whereas, the present maintenance fund of said institution is not sufficient to pay its current running expenses at the present high cost of living; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the sum of seven thousand dollars ($7,000) is hereby appropriated out of any money in the treasury not otherwise appropriated to be used for the purpose of building a suitable house as a residence for the President of the Kentucky Normal and Industrial Institute for Colored Persons and for the purpose of building a suitable barn and making other necessary improvements on the premises of said institution.

§ 2. For the purpose of providing sufficient annual maintenance, to provide for the growth and development of the agricultural industrial work of said institution, the sum of eight thousand dollars ($8,000) is hereby appropriated for this fiscal year and for each succeeding year.

§ 3. The Kentucky Normal and Iudustrial Institute for Colored Persons is in immediate need of funds to pay its current running expenses for the remainder of the fiscal year, and for this reason an emergency is hereby declared to exist and this act shall take effect from and after its passage and approval as required by law.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	John Cook	J. S. Hall
L. D. Baldauf	A. S. Cooper	A. L. Hamilton
J. H. Ballard	Fred Cornelius	L. B. Hamilton
A. L. Baldwin	W. P. Cropper	E. C. Hardin
Robert Bays	J. C. Davis	B. H. Harris
W. T. Beckham	A. A. Demunbrun	David J. Howard
B. C. Beckmann	H. L. Dixon	A. R. Hudson
W. P. Bowman	W. G. Dveus	Chas. L. Hunter
J. L. Bradford	J. M. Elliston	J. W. Johnson
O. V. Brown	L. L. Embry	Leslie P. Jones
R. J. Cain	I. H. Gabbard	W. H. Jones
T. L. Caudel	Lark Garnett	W. F. Klair
Everett Cobb	W. H. Hager	H. A. Knollmann

W. T. Lasley	S. Lee McGohan	R. T. Smith
S. D. Laughlin	H. C. McLellen	T. J. Smith
Joseph Lazarus	W. B. O'Bannon	Thomas Spurrier
M. E. Lee	A. J. Oliver	Ben Street
J. E. Lilly	W. F. Paris	C. M. Thomas
H. J. Meyers	Lilburn Phelps	Elmore Thomas
Clarence Miller	Ote Piper	G. F. Thompson
John T. Murphy	H. C. Rice	J. T. Thornton
Ryland C. Musick	Lewis Ryans	J. Wood Vance
A. J. McCandless	Avery Sartin	G. C. Waggoner
W. P. McDonogh	Joe Schneider	G. F. Walthal
H. C. McGehee	Claude B. Smith	T. R. Welch

—75

There voted in the negative—

S. G. Thornsberry —1

Resolved, that the title thereof be as aforesaid.

Mr. Lee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 41. An act to promote temperance in the State.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be one day in each scholastic year of the public and high schools of the State of Kentucky, to be known as Temperance Day and that the fourth Friday in October of

each year is hereby designated as Temperance Day. This day shall be observed as such in each public and high school of the State, or if preferred in each subdivision thereof.

§ 2. The State Superintendent of Public Instruction shall have prepared and furnished in due time to every teacher of said public and high school of the State a suitable programme to be used on said Temperance Day.

§ 3. It shall be the duty of the State Superintendent of Public Instruction to have prepared and furnished to the teachers in the public and high schools, placards printed in large type which shall set forth in attractive style statistics, epigrams, mottoes, and up-to-date scientific truths showing the evils of intemperance and especially from the use of alcoholic and intoxicating beverages of all kinds and from cigarettes.

§ 4. It shall be the duty of every teacher in the State paid entirely or in part by the State to keep posted in a conspicuous place in the school room occupied by said teacher, one of the said placards.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	W. P. Bowman	Everett Cobb
J. H. Ballard	J. L. Bradford	John Cook
Robert Bays	O. V. Brown	A. S. Cooper
W. T. Beckham	R. J. Cain	Fred Cornelius
Leroy Bonta	T. L. Caudel	W. P. Cropper

James S. Cruse	H. A. Knollmann	Lilburn Phelps
A. A. Demunbrun	W. T. Lasley	Ote Piper
Harry Dill	S. D. Laughlin	H. C. Rice
H. L. Dixon	Joseph Lazarus	Lewis Ryans
W. G. Dycus	M. E. Lee	Joe Schneider
F. A. Easterling	J. E. Lilly	R. T. Smith
J. M. Elliston	H. J. Meyers	Thomas Spurrier
L. L. Embry	Clarence Miller	Ben Street
I. H. Gabbard	S. H. Moore	John W. Swope
Lark Garnett	John T. Murphy	J. B. Thomas
M. E. Gilbert	Ryland C. Musick	Geo. F. Thompson
L. B. Hamilton	A. J. McCandless	J. T. Thornton
E. C. Hardin	W. P. McDonogh	J. Wood Vance
David J. Howard	H. C. McGehee	G. C. Waggoner
Joe Huddleston	S. Lee McGohan	T. R. Welch
J. W. Johnson	W. B. O'Bannon	W. N. Winn
Leslie P. Jones	A. J. Oliver	E. G. Young
W. F. Klair	W. F. Paris	—68

Those who voted in the negative were—

W. H. Hager	F. C. VanHoose	—2

Resolved, that the title thereof be as aforesaid.

Mr. Lee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 96. An act relating to agriculture, labor and statistics, and appropriating money to provide for the continuance of extension work in the State of Kentucky by the Agricultural College of the University of Kentucky, under the provisions of an act of Congress of the United States, ap-

proved May 8, 1914, entitled: An act to provide for co-operative extension work between the agricultural colleges in the several states receiving the benefits of an act of Congress, approved July 2, 1862, and an act supplementary thereto, and the United States Department of Agriculture, and repealing section 5 of chapter 20, acts of 1916.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 5 of an act entitled "An act relating to agricultural extension work and home economics; accepting the provisions of the act of Congress providing for co-operative agricultural extension work between agricultural colleges, which act was approved May eighth, nineteen hundred and fourteen; providing that such work shall be done under the directions of the Kentucky University, Lexington, Kentucky; changing the name of said University to University of Kentucky; amending and re-enacting section one of chapter three, acts of nineteen hundred and eight; amending and re-enacting section fifteen, Kentucky Statutes, nineteen hundred and three; providing for the appointment of trustees of the University of Kentucky; creating an extension committee to have charge of extension work under the supervision of the University of Kentucky; providing for the election of an executive committee for the University of Kentucky; amending and re-enacting section thirteen of the act of March twenty-first, nineteen hundred and six, creating the State Board of Agriculture, Forestry and Immigration; repealing section two of an act for the benefit of the Department of Agriculture, Labor and Statistics, approved March eleventh, nineteen hundred and twelve; appropriating money for the University of Kentucky; providing for the establishment of a marketing bureau; authorizing the fiscal courts of

the counties and the boards of education of counties to appropriate money for extension work, and amending and reenacting section five of an act for the benefit of the Department of Agriculture, approved March twenty-first, nineteen hundred and six," which was approved by the Governor, March 15th, 1916, is hereby repealed and the following is enacted in lieu thereof:

§ 2. In order to continue agricultural extension work in the State of Kentucky, there is hereby appropriated to the University of Kentucky for the year ending June 30, 1918, sixty-two thousand dollars, and a like sum is hereby appropriated annually thereafter, which shall be used by the Agricultural College of the University of Kentucky to offset funds appropriated by an act of Congress, approved May 8, 1914, entitled: "An act to provide for co-operative agricultural extension work between the agricultural colleges in the several states receiving the benefits of an act of Congress approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto, and the United States Department of Agriculture." Any portion of the appropriations herein authorized remaining unused at the close of any fiscal year may be used to offset Federal funds of any succeeding fiscal year.

§ 3. Whereas, it is necessary to continue the extension work under the act of Congress aforesaid, if the State is to receive the benefits of the act, an emergency is hereby declared to exist, and this act shall take effect from and after its passage and approval as required by law.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	J. S. Hall	W. B. O'Bannon
L. D. Baldauf	A. L. Hamilton	A. J. Oliver
J. H. Ballard	L. B. Hamilton	T. P. Oliver
A. L. Baldwin	E. C. Hardin	W. F. Paris
Robert Bays	B. H. Harris	Lilburn Phelps
W. T. Beckham	David J. Howard	Luther Pieratt
B. C. Beckmann	Joe Huddleston	Ote Piper
H. V. Bell	A. R. Hudson	Avery Sartin
Leroy Bonta	Chas. L. Hunter	Joe Schneider
W. P. Bowman	J. W. Johnson	Claude B. Smith
J. L. Bradford	Leslie P. Jones	R. T. Smith
O. V. Brown	W. H. Jones	T. J. Smith
R. J. Cain	Griffin Kelly	Thomas Spurrier
T. L. Caudel	W. F. Klair	Ben Street
H. C. Chappell	H. A. Knollmann	John W. Swope
Everett Cobb	W. T. Lasley	C. M. Thomas
John Cook	S. D. Laughlin	Elmore Thomas
A. S. Cooper	Joseph Lazarus	J. B. Thomas
Fred Cornelius	J. E. Lilly	G. F. Thompson
W. P. Cropper	Harry J. Meyers	S. G. Thornberry
James S. Cruse	Clarence Miller	J. Wood Vance
A. A. Demunbrun	S. H. Moore	F. C. VanHoose
H. L. Dixon	John T. Murphy	G. C. Waggoner
W. G. Dycus	Ryland C. Musick	G. F. Walthal
F. A. Easterling	A. J. McCandless	T. R. Welch
I. H. Gabbard	W. P. McDonogh	W. N. Winn
Lark Garnett	H. C. McGehee	E. G. Young
M. E. Gilbert	S. Lee McGohan	
W. H. Hager	H. C. McLellen	—85

Resolved, that the title thereof be as aforesaid.

Mr. Lee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 46. An act to amend subsection 8, chapter 9a, Kentucky Statutes, being section 165, Kentucky Statutes, Carroll's edition 1915, relating to the banking department, by providing that the Banking Commissioner may accept examinations made by the federal reserve authorities, in lieu of his official examinations, and authorizing the Banking Commissioner to furnish to the federal reserve agent of the district in which a member bank may be situated copies of examination and reports of member banks.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That subsection 8 of section 165a, Kentucky Statutes (Carroll 1915), being chapter 9a of said Statutes, relating to the Banking Department of this Commonwealth, be, and the same hereby is amended and re-enacted to read as follows:

"8. Examination of Banks—Oath May Be Administered —Information Secret.—Every bank organized and doing business under the laws of this State shall be subject to the inspection of the Baking Commissioner. Such commissioner shall personally or by the deputy commissioner or a State bank examiner, visit each bank and examine the cash, bills, collateral, securities, other assets, books of accounts, and all other papers and books of such bank. On such examination, inquiry shall be made as to the condition and resources of the corporation, the mode of conducting and managing its affairs, the action of its directors, the investment and dis-

position of its funds, the safety and prudence of its management, the security afforded to those by whom its engagements are held, and whether the requirements of its charter and of the laws of this State have been complied with in the administration of its affairs, and as to such other matters as the commissioner may deem necessary. Such examination shall be made of every bank at least once every year, but not to exceed twice in any one year, unless it shall appear from examination or from the report or reports of a bank that such bank has failed to comply with the laws relating to banks, or a regulation of the Department of Banking.

"The Banking Commissioner, deputy banking commissioner, and every State Bank Examiner, shall have the power to administer an oath to any person whose testimony may be required in the examination of any bank, and to compel the appearance of any such person for the purpose of such examination, which shall be made in the presence of one or more of the officers of the corporation being examined. No notice of the intended examination shall be given to the bank to be examined until the examining officer is prepared to proceed immediately with the examination. No officer or employe of the Banking Department nor the examiner conducting any examination, shall impart any information obtained by him during such examination, except so far as may be necessary in the performance of his official duty as provided by law. Provided that any bank or trust company or combined bank and trust company which shall become a member of a federal reserve bank created and organized under the act of Congress known as the federal reserve act, shall be subject to the examination required under the term of the said federal reserve act, and the Banking Commissioner may, in his discretion, accept examinations made by the federal reserve authorities in lieu of examinations made under the laws of this Commonwealth; and the Banking Commissioner is further authorized and directed to furnish to the federal reserve

agent of the district in which such member bank may be situated, copies of reports and examinations made of such member bank."

§ 2. It appearing that certain banking institutions in this Commonwealth are desirous of making applications for membership in the federal reserve system and that it is necessary for the prompt consideration of such applications that this act be passed, and that the exigencies in the financial status of this country make it desirable that such membership may not be delayed unduly an emergency is hereby declared to exist and this act shall take effect from and after its passage and approval as required by law.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	Everett Cobb	I. H. Gabbard
B. S. Bailey	John Cook	Lark Garnett
J. H. Ballard	A. S. Cooper	W. H. Hager
A. L. Baldwin	Fred Cornelius	A. L. Hamilton
W. T. Beckham	W. P. Cropper	L. B. Hamilton
B. C. Beckmann	J. C. Davis	E. C. Hardin
H. V. Bell	A. A. Demunbrun	B. H. Harris
Leroy Bonta	H. L. Dixon	David J. Howard
J. L. Bradford	W. G. Dycus	Joe Huddleston
O. V. Brown	F. A. Easterling	A. R. Hudson
R. J. Cain	J. M. Elliston	Chas. L. Hunter
H. C. Chappell	L. L. Embry	J. W. Johnson

W. H. Jones
W. F. Klair
H. A. Knollmann
M. E. Lee
J. E. Lilly
H. J. Meyers
Clarence Miller
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
H. C. McGehee
H. C. McLellen
A. J. Oliver
W. F. Paris
Lilburn Phelps
Ote Piper
H. C. Rice
Avery Sartin
Joe Schneider
Claude B. Smith
T. J. Smith
Ben Street
John W. Swope
C. M. Thomas
G. F. Thompson
S. G. Thornberry
J. Wood Vance
G. C. Waggoner
G. F. Walthal
T. R. Welch
W. N. Winn
E. G. Young
—68

Those who voted in the negative were—

R. T. Smith
Elmore Thomas
—2

Resolved, that the title thereof be as aforesaid.

Mr. Lee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 118. An act to amend sections 579 and 584 Kentucky Statutes, Carroll's 1915, relating to the powers of banking corporations and the required reserves of such corporations, by providing that banking institutions created and organized under the laws of this Commonwealth may pledge any portion of their assets as security for deposits of the United States Government, and further providing that such banks or trust companies which shall become members of a federal reserve bank, may conform to the reserve requirements of the act of Congress known as the federal re-

serve act, in lieu of reserves required by the laws of this Commonwealth.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 579, Kentucky Statutes (Carroll 1915) be and the same hereby is amended and re-enacted to read as follows:

Business—When May Begin—Powers of Corporation.—When the articles are filed and recorded as above provided, it may commence business, and shall thereupon become a body corporate and to be known by and to carry on its business in its corporate name, and as such shall have power to adopt and use a corporate seal; to make contracts; sue and to be sued; to appoint, remove and elect officers, define their duties, require from any of them a bond for the faithful discharge of their duties; to prescribe by its board of directors, by-laws for the government of the bank not inconsistent with law; to exercise, subject to law, such powers as may be necessary to carry on the business of banking by discounting and negotiating notes, drafts, bills of exchange, and other evidences of debt, and purchasing bonds, receiving deposits, and allowing interest thereon, buying and selling exchange, coin and bullion, and lending money on personal or real security as provided in this article.

In addition to the powers hertofore conferred upon and now possessed by banks, trust companies and combined banks and trust companies doing business under the laws of this State, they are hereby authorized and empowered subject to existing statutory or charter limitations to pledge such portion of their assets as may be required by law as collateral security for government deposits made with them, or any of them, by or under the authority of the United States.

§ 2. That section 584, Kentucky Statutes (Carroll 1915) be and same hereby is amended and re-enacted to read as follows:

Deposits—Amount to be Kept on Hand—Demand and Time Deposits Defined—Reserve Banks.—Each bank and trust company organized under the laws of this Commonwealth and authorized by law to receive deposits shall keep on hand, at all times, at least twelve per cent of its total demand deposits and five per cent of its total time and savings deposits; and, in cities which are reserve or central reserve cities, under the act of Congress of December 23, 1913, known as the federal reserve act, at least fifteen per cent of its total demand deposits and five per cent of its total time and savings deposits; one-third of which reserve shall be in money and the remainder may be in balances due from other banks and subject to call.

Any bank or trust company incorporated under the laws of this Commonwealth, which shall become a member of a federal reserve bank, shall be subject to all the provisions of the federal reserve act and its amendments, and to the regulations of the federal reserve board applicable to such bank or trust company, and shall have all the powers and assume all the liabilities conferred and imposed by said act in regard to State member banks, and any such bank or trust company shall comply with the reserve requirements of the federal reserve act and its amendments, and the compliance of such bank or trust company therewith shall be in lieu of, and shall relieve such bank or trust company from compliance with the provisions of the laws of this Commonwealth relating to the maintenance of reserves.

Demand deposits, within the meaning of this section, shall comprise all deposits payable within thirty days and time deposits shall comprise all deposits payable after thirty days and all savings accounts and certificates of deposit which are subject to not less than thirty days' notice before pay-

ment. Nothing in this section shall be construed as authorizing to receive deposits or do a banking business any institution not authorized to do so by other provisions of law.

§ 3. It appearing that certain banking institutions in this Commonwealth are desirous of making application for membership in the federal reserve system, and that it is necessary for the prompt consideration of such applications that this act be passed, and that the exigencies in the financial status of the country make it desirable that such membership may not be delayed unduly, an emergency is hereby declared to exist and this act shall take effect from and after its passage and approval as required by law.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	Everett Cobb	L. B. Hamilton
B. S. Bailey	A. S. Cooper	E. C. Hardin
J. H. Ballard	Fred Cornelius	B. H. Harris
A. L. Baldwin	W. P. Cropper	David J. Howard
W. T. Beckham	A. A. Demunbrun	Joe Huddleston
B. C. Beckmann	H. L. Dixon	Chas. L. Hunter
H. V. Bell	W. G. Dycus	J. W. Johnson
W. P. Bowman	J. M. Elliston	Leslie P. Jones
J. L. Bradford	I. H. Gabbard	W. H. Jones
O. V. Brown	Lark Garnett	Griffin Kelly
R. J. Cain	W. H. Hager	W. F. Klair
H. C. Chappell	A. L. Hamilton	H. A. Knollman

W. T. Lasley	T. P. Oliver	John W. Swope
M. E. Lee	W. F. Paris	C. M. Thomas
J. E. Lilly	Lilburn Phelps	Geo. F. Thompson
H. J. Meyers	Luther Pieratt	S. G. Thornberry
Clarence Miller	Ote Piper	F. C. VanHoose
John T. Murphy	H. C. Rice	G. C. Waggoner
Ryland C. Musick	Avery Sartin	G. Frank Walthal
A. J. McCandless	Joe Schneider	T. R. Welch
W. P. McDonogh	Claude B. Smith	W. N. Winn
H. C. McGehee	T. J. Smith	E. G. Young
W. B. O'Bannon	Thomas Spurrier	
A. J. Oliver	Ben Street	—70

Resolved, that the title thereof be as aforesaid.

Mr. Lee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 1. An act for the benefit of the Kentucky Illiteracy Commission, appropriating money thereto.

Said bill reads as follows, viz.:

Whereas, the 1910 census of the United States Census Bureau shows 208,084 illiterate men and women in the State of Kentucky, and the Kentucky Illiteracy Commission is reducing that number and attempting to confer upon all the benefits and privileges of education, and

Whereas, the work of said commission is greatly handicapped by lack of funds; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and is hereby appropriated to the Kentucky Illiteracy Commission the sum of twenty-five thousand dollars annually, until June 30th, 1920, and on or before June 30th, 1918; June 30th, 1919, and June 30th, 1920, the Auditor of the Commonwealth be directed to draw his warrants for said sum above annually appropriated, upon vouchers or warrants signed by the chairman and secretary of said commission.

§ 2. The fund thus appropriated shall be expended for county field agents, clerical help and other legitimate expenses as may, in the judgment and discretion of the commission, be necessary in the efficient and economic methods of teaching illiterate men and women. Provided, however, that no part of the money herein appropriated shall be applied or used to pay a salary, or any part of a salary, to any member of the Kentucky Illiteracy Commission.

§ 3. The commission shall have the power to appoint county field agents in as many of the counties of the Commonwealth as it may deem proper for the purposes of furthering its work. It shall be the duty of such field agents so appointed to aid and assist the commission in carrying out the purposes of this act and its general purposes; to do any and all things directed to be done by said commission, and in addition to lend aid and assistance to county superintendents, school boards and trustees in increasing the attendance of pupil children in and upon the common schools of the State, at all times, however, acting upon the direction and supervision of the said Illiteracy Commission.

§ 4. That the title president of the Illiteracy Commission be amended to read chairman of the Illiteracy Commission.

Mr. McDonogh offered the following amendment to said bill, viz.:

Amend Senate Bill No. 1, by adding to section two, line seven, the following:

At least five thousand ($5,000.00) dollars of said money shall during the year 1919 be expended for the benefit of the Kentucky State College, Louisville, Jefferson County, Kentucky, for the eradication of illiteracy among the colored race.

Said amendment was disagreed to.

Mr. Cobb offered the following amendment to said bill, viz.:

Amend Senate Bill No. 1 by striking from line two, section one, the words "twenty-five" and substituting in lieu thereof the word "nine."

Said amendment was disagreed to.

Mr. L. B. Hamilton offered the following amendment to said bill, viz.:

Amend Senate Bill No. 1 by striking out the words "twenty-five" in line two, section one. and substituting therefor the words "ten."

Said amendment was disagreed to.

Mr. Gabbard offered the following amendment to said bill, viz.:

Amend Senate Bill No. 1 by adding after the word "commission" in line seven, section two, the following: "and pro-

vided further that not more than ten per cent. of such sum shall annually be spent for clerical hire."

Said amendment was disagreed to.

Mr. Musick offered the following amendment to said bill, viz.:

Amend Senate Bill No. 1 by adding after the word "commission" in line seven, section two, the following: "and not more than $3,000.00 shall be spent during any one year for clerical or office assistants and office expenses;" and by adding after the word "work" in line three, section three, the following: "Five or more counties each year shall be thoroughly and exhaustively organized and worked by said commission as demonstration counties and the commission shall make a full and complete report to the next General Assembly of the work accomplished and expenditures made in each county in the State."

Mr. Lasley moved the previous question on said amendment.

As an amendment to said motion Mr. Klair moved the previous question on said bill and pending amendments.

Said last named motion was disagreed to.

Said motion made by Mr. Lasley was then agreed to.

The yeas and nays being demanded on said amendment proposed by Mr. Musick, by Mr. Rice and Mr. Musick, were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	J. H. Ballard	Everett Cobb
B. S. Bailey	J. L. Bradford	W. P. Cropper
L. D. Baldauf	O. V. Brown	James S. Cruse

A. A. Demunbrun	David J. Howard	W. B. O'Bannon
Harry Dill	Joe Huddleston	H. C. Rice
H.Lawrence Dixon	A. R. Hudson	Avery Sartin
W. G. Dycus	J. W. Johnson	Claude B. Smith
L. L. Embry	Leslie P. Jones	John W. Swope
I. H. Gabbard	W. H. Jones	S. G. Thornberry
W. H. Hager	W. T. Lasley	F. C. VanHoose
J. S. Hall	Ryland C. Musick	T. R. Welch
A. L. Hamilton	A. J. McCandless	
L. B. Hamilton	S. Lee McGohan	—37

Those who voted in the negative were—

A. L. Baldwin	W. F. Klair	Luther Pieratt
Robert Bays	H. A. Knollmann	Ote Piper
W. T. Beckham	S. D. Laughlin	Richard Radcliffe
B. C. Beckmann	Joseph Lazarus	Lewis Ryans
H. V. Bell	M. E. Lee	Joe Schneider
Leroy Bonta	J. E. Lilly	R. T. Smith
W. P. Bowman	Harry J. Meyers	T. J. Smith
R. J. Cain	Clarence Miller	Thomas Spurrier
H. C. Chappell	S. H. Moore	Ben Street
A. S. Cooper	John T. Murphy	Claude M. Thomas
Fred Cornelius	W. P. McDonogh	Elmore Thomas
J. C. Davis	H. C. McGehee	Geo. F. Thompson
F. A. Easterling	H. C. McLellen	J. Wood Vance
J. M. Elliston	A. J. Oliver	G. C. Waggoner
Lark Garnett	T. P. Oliver	G. Frank Walthal
M. E. Gilbert	W. F. Paris	W. N. Winn
Chas. L. Hunter	Lilburn Phelps	E. G. Young
		—51

And so said amendment was disagreed to.

Mr. Phelps offered the following amendment to Senate Bill No. 1, viz.:

Amend Senate Bill No. 1 by adding thereto a new section as follows:

Section 5. On July 1, 1920, this commission shall cease to exist.

Mr. Klair moved the previous question on said bill and all amendments.

Said motion was agreed to.

Said amendment proposed by Mr. Phelps was adopted.

Mr. Rice moved that said bill and all pending amendments be laid on the table.

Said motion was disagreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

L. D. Baldauf	H. C. Chappell	Lark Garnett
A. L. Baldwin	John Cook	M. E. Gilbert
Robert Bays	A. S. Cooper	E. C. Hardin
W. T. Beckham	Fred Cornelius	B. H. Harris
B. C. Beckmann	James S. Cruse	Joe Huddleston
H V. Bell	J. C. Davis	W. H. Jones
Leroy Bonta	A. A. Demunbrun	Griffin Kelly
W. P. Bowman	Harry Dill	W. F. Klair
J. L. Bradford	F. A. Easterling	H. A. Knollmann
O. V. Brown	J. M. Elliston	S. D. Laughlin

Joseph Lazarus	Luther Pieratt	Claude M. Thomas
M. E. Lee	Ote Piper	Elmore Thomas
J. E. Lilly	Richard Radcliffe	J. B. Thomas
H. J. Meyers	Lewis Ryans	Geo. F. Thompson
Clarence Miller	Avery Sartin	J. T. Thornton
John T. Murphy	Joe Schneider	J. Wood Vance
W. P. McDonogh	Claude B. Smith	G. C. Waggoner
H. C. McGehee	R. T. Smith	G. Frank Walthal
A. J. Oliver	T. J. Smith	T. R. Welch
W. F. Paris	Thomas Spurrier	W. N. Winn
Lilburn Phelps	Ben Street	E. G. Young

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Those who voted in the negative were—

Chas. Ashby	I. H. Gabbard	Ryland C. Musick
B. S. Bailey	W. H. Hager	A. J. McCandless
J. H. Ballard	J. S. Hall	S. Lee McGohan
R. J. Cain	L. B. Hamilton	W. B. O'Bannon
Everett Cobb	David J. Howard	H. C. Rice
W. P. Cropper	A. R. Hudson	John W. Swope
H. L. Dixon	J. W. Johnson	S. G. Thornberry
W. G. Dycus	W. T. Lasley	F. C. VanHoose
L. L. Embry	S. H. Moore	

—26

Mr. Lee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Claude M. Thomas moved that Senate Bill No. 233 be called from the Committee on Criminal Law, given its first reading and placed in the calendar.

The yeas and nays being demanded on said motion by Messrs Claude M. Thomas and Murphy, were as follows, viz.:

Those who voted in the affirmative were—

W. T. Beckham	J. L. Bradford	Everett Cobb
Leroy Bonta	R. J. Cain	John Cook

H. L. Dixon	Griffin Kelly	Avery Sartin
W. G. Dycus	H. A. Knollmann	T. J. Smith
J H. Gabbard	S. D. Laughlin	Claude M. Thomas
Lark Garnett	Clarence Miller	S. G. Thornberry
L. B. Hamilton	S. H. Moore	J. Wood Vance
E. C. Hardin	John T. Murphy	F. C. VanHoose
David J. Howard	A. J. McCandless	G. C. Waggoner
Joe Huddleston	Luther Pieratt	E. G. Young
Leslie P. Jones	Ote Piper	
W. H. Jones	Richard Radcliffe	—34

Those who voted in the negative were—

Chas. Ashby	J. S. Hall	T. P. Oliver
B. S. Bailey	A. L. Hamilton	W. F. Paris
L. D. Baldauf	A. R. Hudson	H. C. Rice
J. H. Ballard	Chas. L. Hunter	Lewis Ryans
A. L. Baldwin	J. W. Johnson	Joe Schneider
Robert Bays	W. F. Klair	Claude B. Smith
W. P. Bowman	W. T. Lasley	R. T. Smith
O. V. Brown	Joseph Lazarus	Thomas Spurrier
H. C. Chappell	J. E. Lilly	Ben Street
Fred Cornelius	H. J. Meyers	John W. Swope
James S. Cruse	W. P. McDonogh	Elmore Thomas
J. C. Davis	H. C. McGehee	Geo. F. Thompson
A. A. Demunbrun	S. Lee McGohan	J. T. Thornton
Harry Dill	H. C. McLellen	G. Frank Walthal
F. A. Easterling	W. B. O'Bannon	T. R. Welch
J. M. Elliston	A. J. Oliver	W. N. Winn
		—48

And so said motion was disagreed to.

Mr. Meyers moved that the vote by which said motion was disagreed to be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 4. An act to amend an act approved December 3, 1892, entitled an act relating to interest and usury.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That where any insurance company, as a condition for a lien by such company, of money upon mortgage or other security, may require that the borrower insure either his life or that of another, or his property with such company, and assign to such company, or cause to be assigned to it, any policy of insurance as security for such loan, and agree to pay premiums thereon during the continuance of such loan, and whether such premium be paid annually, semi-annually, quarterly or monthly, such premiums shall not be considered as interest on such loans, nor shall any loan be rendered usurious by reason of any such requirement, where the rate of interest charged for the loan does not exceed the legal rate, and where the premiums charged for the insurance, do not exceed the premiums charged to other persons for similar policies who do not obtain loans.

Mr. Sartin moved that said bill be laid on the table.

Said motion was disagreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	Leslie P. Jones	Luther Pieratt
J. H. Ballard	W. F. Klair	Ote Piper
W. T. Beckham	M. E. Lee	Richard Radcliffe
Leroy Bonta	J. E. Lilly	H. C. Rice
O. V. Brown	H. J. Meyers	Joe Schneider
R. J. Cain	Clarence Miller	Thomas Spurrier
Everett Cobb	John T. Murphy	Ben Streét
John Cook	Ryland C. Musick	Claude M. Thomas
W. P. Cropper	W. P. McDonogh	G. F. Thompson
H. L. Dixon	H. C. McGehee	J. Wood Vance
W. G. Dycus	S. Lee McGohan	G. C. Waggoner
I. H. Gabbard	W. B. O'Bannon	G. Frank Walthal
M. E. Gilbert	A. J. Oliver	T. R. Welch
J. S Hall	T. P. Oliver	W. N. Winn
B. H. Harris	W. F. Paris	E. G. Young
J. W. Johnson	Lilburn Phelps	—47

Those who voted in the negative were—

Chas. Ashby	Joe Huddleston	R. T. Smith
L. D. Baldauf	A. R. Hudson	T. J. Smith
B. C. Beckmann	Griffin Kelly	John W. Swope
Fred Cornelius	H. A. Knollmann	Elmore Thomas
Lark Garnett	S. H. Moore	J. B. Thomas
L. B. Hamilton	A. J. McCandless	S. G. Thornberry
David J. Howard	Avery Sartin	—20

Resolved, that the title thereof be as aforesaid.

Mr. Klair, of the Committee on Rules, moved that all Senate bills in the calendar as of date March 16th, 1918, be

now given their second reading and placed in the orders of the day.

Said motion was agreed to.

The House then took up for consideration from the calendar the following Senate bills, viz.:

S. B. 36, S. B. 82, S. B. 97, S. B. 102, S. B. 80, S. B. 107, S. B. 113, S. B. 132, S. B. 148, S. B. 176, S. B. 186, S. B. 187, S. B. 219, S. B. 239, S. B. 253, S. B. 261, S. B. 273, S. B. 279, S. B. 280, S. B. 286, S. B. 305, S. B. 306, S. B. 307, S. B. 313, S. B. 326, S. B. 329, S. B. 341, S. B. 342, S. B. 345, S. B. 330.

The constitutional provision as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their titles and ordered to be placed in the orders of the day.

Mr. Lee moved that when this House adjourns it be to meet tonight at seven o'clock p. m. for the purpose of considering enrolled bills only.

Said motion was agreed to.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a resolution of the following title, viz.:

S. Res. 19. Resolution for the benefit of Frank Rives, F. L. Hamby, J. L. Early and Roy L. McFarland.

Whereupon all other business was suspended, said resolution was read at length compared in open House and found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said resolution.

Ordered, that the Enrolling Clerk deliver said resolution to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled resolutions of the following titles, viz.:

H. Res. 7. Joint resolution providing for the appointment of a committee to investigate the possibility of establishing a state printery and bindery.

H. Res. 25. A joint resolution to reimburse certain persons in Campbell county for the unexpired term values of their liquor licenses made inoperative by reason of war orders and ordinances passed pursuant thereto.

H. Res. 34. Resolution for the benefit of the Clerks of the House and Senate.

H. Res. 36. Joint resolution providing for the payment of expenses of a committee appointed to investigate the matter of the removal of the State Board of Health.

Whereupon, all other business was suspended, said resolutions were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said resolutions.

Ordered, that the Enrolling Clerk deliver said resolutions to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled resolutions, which originated in the House, to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled resolutions, which originated in the House, and which have been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Lee moved that the House do now adjourn until seven o'clock p. m.

Said motion was agreed to.

NIGHT SESSION.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz:

H. B. 10. An act amending section 612a, Kentucky Statutes, Carroll's edition of 1915, relating to combined bank and trust companies; providing the manner in which combined bank and trust companies may be organized; fixing the amount of capital of combined bank and trust companies, and providing how the capital of combined bank and trust companies shall be used or employed.

H. B. 32. An act to amend and re-enact sections 3374 and 3379, Kentucky Statutes, Carroll's edition, 1915.

H. B. 97. An act for the benefit of the Kentucky School for the Blind; to provide an increase in the annual appropriation for the white department and for the colored department

and to make an annual appropriation for the education and vocational training of the adult blind of Kentucky.

H. B. 216. An act to amend section 3490, Kentucky Statutes, Carroll's edition, 1915.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills, which originated in the House, to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills, which originated in the House and which have been signed by the presiding officer of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. McDonogh moved that this House do now adjourn.

Said motion was agreed to.

And then the House, at nine o'clock p. m., adjourned.

TUESDAY, MARCH 19, 1918.

The House was opened with prayer by the Rev. J. T. McGlothlin, pastor of the Baptist Church, of Frankfort, Kentucky.

Upon a roll call to ascertain the presence of a quorum the call resulted as follows, viz.:

Chas. Ashby	J. S. Hall	T. P. Oliver
W. T. Beckham	A. L. Hamilton	W. F. Paris
B. C. Beckmann	L. B. Hamilton	Lilburn Phelps
H. V. Bell	E. C. Hardin	Luther Pieratt
W. P. Bowman	B. H. Harris	Richard Radcliffe
O. V. Brown	David J. Howard	H. C. Rice
R. J. Cain	Joe Huddleston	Lewis Ryans
T. L. Caudel	A. R. Hudson	Avery Sartin
H. C. Chappell	J. W. Johnson	Joe Schneider
Everett Cobb	W. H. Jones	Claude B. Smith
John Cook	Griffin Kelly	R. T. Smith
A. S. Cooper	W. F. Klair	T. J. Smith
Fred Cornelius	H. A. Knollmann	Thomas Spurrier
W. P. Cropper	S. D. Laughlin	Ben Street
James S. Cruse	M. E. Lee	John W. Swope
J. C. Davis	J. E. Lilly	Claude M. Thomas
A. A. Demunbrun	Harry J. Meyers	J. B. Thomas
H. L. Dixon	Clarence Miller	J. T. Thornton
W. G. Dycus	S. H. Moore	W. F. Trusty
F. A. Easterling	John T. Murphy	F. C. VanHoose
J. M. Elliston	A. J. McCandless	G. C. Waggoner
L. L. Embry	W. P. McDonogh	G. Frank Walthal
I. H. Gabbard	H. C. McGehee	T. R. Welch
Lark Garnett	S. Lee McGohan	W. N. Winn
W. H. Hager	W. B. O'Bannon	E. G. Young

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The reading of the Journal of yesterday's proceedings, on motion of Mr. Thornton, was dispensed with, and Journal approved.

Mr. R. T. Smith offered the following resolution, viz.:

Whereas, the Kentucky House of Representatives met in biennial session on January 7th, 1918; and,

Whereas, at the organization of said House the Honorable Robert T. Crowe was chosen Speaker of said House of Representatives and presided over the deliberations of said body during the said session of 1918, and desiring to express our appreciation of the fair, courteous and recognized right of every member irrespective of party bias or affiliation by the Speaker; and,

Whereas, the time has come when the members of this General Assembly must separate and the pleasant relations existing between the members during the session must cease; therefore,

Be it resolved, that we recognize in the Speaker of this House, the Honorable Robert T. Crowe, a gentleman of the highest order of manhood.

That he has presided over the deliberations of this body with ability, fairness and courtesy, regardless of party bias or distinction.

That we sever our relations with the Speaker with the deepest regret in a fraternal sense.

That we convey to the family of the Speaker our most cordial greetings, with our best wishes for their health, happiness and a prosperous life.

That this preamble and resolution be spread on the Journal of this House and the clerk furnish a copy to the Speaker.

Said resolution was adopted.

Mr. Musick offered the following resolution, viz.:

Whereas, there has appeared in the various daily papers of general circulation a report purporting to come from Beattyville, in Lee county, Kentucky, that a state of lawlessness exists there; that the intervention of state or federal troops was essential to restore law and order; and,

Whereas, such report appears to be without foundation, and the unusual publicity appears to be entirely unwarranted, and does great injustice to the people of that county, and to all the people of Kentucky; now, therefore,

Be it resolved by the House of Representatives of the General Assembly of Kentucky, in session assembled:

(1) That we hereby condemn the report of unusual lawlessness and bloodshed in Lee county as an untrue, unjust, unwarranted and unpatriotic attack upon an intelligent and law abiding people, conceived in iniquity and promulgated without investigation and for mercenary reasons.

(2) That we hereby express our confidence in the Governor of Kentucky, the circuit judge, Commonwealth's attorney, county judge, county attorney, sheriff and other officials of Lee county, and in their ability, willingness and determination to cope with and control any outbreak that may have occurred or that may hereafter occur in such county, and that we deplore the unjust and unwarranted reflection cast upon them and upon the Commonwealth by the publicity of such articles.

(3) That we condemn the use of such schemes and reports as unfair and unpatriotic propaganda and methods of forcing unmerited and useless legislation upon a law abiding and patriotic people.

(4) That we regret that such false reports were so shrouded in visions of truth and were so gowned in misleading statements and so backed by organized influences as to deceive the public, the press and our state officials.

(5) That we deplore the unjust anxiety, abuse of confidence imposed upon the Governor of our state by those who so unscrupulously inaugurated such scheme for the purpose of self-aggrandizement.

Said resolution was adopted.

The House took up for consideration from the calendar bills of the following titles, viz.:

S. B. 85. An act providing for the oiling of the streets and alleys of cities and towns of the fourth, fifth and sixth classes of this Commonwealth.

S. B. 164. An act to amend charters of cities of the fourth class.

S. B. 195. An act to further provide for the organization, armament, equipment, discipline and government of the militia, and providing for the qualifications and terms of office of certain military officers.

S. B. 206. An act to repeal section 2774 of the Kentucky Statutes, Carroll's Edition 1915, concerning the publication of an act entitled: "An act for the government of cities of the first class," approved July 1, 1893.

S. B. 207. An act to amend section 2773 of the Kentucky Statutes, Carroll's Edition of 1915, concerning the Journals of the Boards of the General Council, and the publication of the proceedings of the said boards in cities of the first class, being part of an act entitled: "An act for the government of cities of the first class," approved July 1, 1893.

The constitutional provision as to the second reading of said bills at length being dispensed with, said bills were severally read the second time by their titles, and ordered to be placed in the orders of the day.

A message was received from the Senate announcing that they had concurred in the amendments proposed by the House of Representatives to Senate Bill No. 1.

Also, that they had passed bills which originated in the House of the following titles, viz:

H. B. 111. An act relating to election returns of districts composed of more than one county.

H. B. 371. An act changing the time of holding Circuit Court in the Second Judicial District.

H. B. 164. An act to amend and re-enact chapter 9 of the acts of the extraordinary session of the General Assembly of 1917, which act imposes a license or franchise on any person, firm, corporation, or association engaged in the production of crude petroleum in this State, and authorizing county officials to impose such tax for roads, schools and county purposes; providing methods of determining the amount of tax due and prescribing the manner of payment of State tax and imposing penalties for the violation of the act.

H. B. 149. An act to amend an act entitled: An act to incorporate the Confederate Home and provide for the maintenance thereof.

H. B. 393. An act to repeal section 4758 of the Kentucky Statutes, and enact in lieu thereof an act to define vagrants and vagrancy and provide punishment therefor.

H. B. 122. An act to amend and re-enact section 3523 of Carroll's Edition of the Kentucky Statutes.

H. B. 171. An act creating and relating to the office of county road engineer in counties containing more than 200,000 population and providing for his term of office, qualifications, assistants and compensation, and repealing all laws in conflict herewith.

H. B. 420. An act relating to assessment or co-operative life and accident insurance companies, amending section 681,

Kentucky Statutes, 1915 Edition, providing license for agents of foreign companies doing business in this State.

H. B. 274. An act to provide for the payment of the clerical assistance of the Auditor of Public Accounts, and for additional assistance for the proper conduct of said office.

H. B. 313. An act to repeal and re-enact section 2 of chapter 74 of the Acts of 1914, relating to husband and wife, and setting out more clearly the duty of the county court clerk in issuing marriage license.

H. B. 16. An act relating to elections and providing means of special registration for officers and employes of the Commonwealth or of the United States, ministers of the Gospel and Commercial Travelers.

A message was received from the Senate announcing that they had passed a bill originating in the House of the following title, viz:

H. B. 23. An act creating the office of district detective to the Commonwealth's Attorney in counties containing cities of the second class, in which there is located circuit courts of continuous session, prescribing the method of appointment and removal, the duties, powers and salary and the method of payment of such officer.

With the following Senate amendment thereto, viz:

"Strike out the figures 1500 in line 1 of section 4, and substitute therefor the figures 1200; strike out the figures 2000 in line 2 of section 4, and substitute therefor the figures 1800," so that said section 4 as amended shall read as follows, viz:

"The salary of said district detective shall not be less than $1,200 per annum, nor more than $1,800 per annum, to be paid by the Fiscal Court in such county, and shall be payable out of the county levy in such county in equal monthly installments."

Mr. Klair moved that the House concur in said Senate amendment.

Said motion was agreed to.

Said amendment was concurred in.

(For said bill see H. J. January 31, 1918.)

The yeas and nays being taken on the final passage of said bill, as amended by the Senate, in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were—

B. S. Bailey	E. C. Hardin	W. F. Paris
B. C. Beckmann	B. H. Harris	Lilburn Phelps
H. V. Bell	David J. Howard	Luther Pieratt
Leroy Bonta	Joe Huddleston	Richard Radcliffe
W. P. Bowman	Chas. L. Hunter	H. C. Rice
J. L. Bradford	J. W. Johnson	Lewis Ryans
O. V. Brown	Griffin Kelly	Avery Sartin
H. C. Chappell	W. F. Klair	Joe Schneider
W. P. Cropper	M. E. Lee	Claude B. Smith
James S. Cruse	J. E. Lilly	Thomas Spurrier
J. C. Davis	Harry J. Meyers	Ben Street
A. A. Demunbrun	Clarence Miller	John W. Swope
H. L. Dixon	John T. Murphy	C. M. Thomas
W. G. Dycus	A. J. McCandless	S. G. Thornberry
J. M. Elliston	W. P. McDonogh	W. F. Trusty
I. H. Gabbard	H. C. McGehee	J. Wood Vance
Lark Garnett	S. Lee McGohan	Geo. C. Waggoner
W. H. Hager	W. B. O'Bannon	W. N. Winn
A. L. Hamilton	A. J. Oliver	E. G. Young
L. B. Hamilton	T. P. Oliver	—59

Those who voted in the negative were—

L. D. Baldauf	M. E. Gilbert	S. D. Laughlin
R. J. Cain	A. R. Hudson	R. T. Smith
John Cook	W. H. Jones	T. J. Smith
A. S. Cooper	H. A. Knollman	J. B. Thomas

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A message was received from the Senate announcing that they had passed a bill which originated in the House of the following title, viz:

H. B. 206. An act to amend sub-section 4 of chapter 13 of the Acts of the General Assembly of 1916, relating to corrupt practices, by inserting after the word "on" at the end of line four of said sub-section, the words "or before," and by inserting after the word "on" in line six of said sub-section, the words "or before."

With the following Senate amendment proposed thereto, viz:

Amend House Bill No. 206, by inserting immediately after the title to said bill the following words, viz:

"Be it enacted by the General Assembly of the Commonwealth of Kentucky:"

Mr. Klair moved that the House concur in said Senate amendment.

Said motion was agreed to.

Said amendment was concurred in.

(For said bill see H. J. March 5, 1918.)

The yeas and nays being taken on the final passage of said bill as amended by the Senate in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Chas. Ashby	M. E. Gilbert	H. C. McGehee
E. S. Bailey	W. H. Hager	S. Lee McGohan
J. H. Ballard	J. S. Hall	W. B. O'Bannon
B. C. Beckmann	L. B. Hamilton	T. P. Oliver
H. V. Bell	E. C. Hardin	Ote Piper
W. P. Bowman	B. H. Harris	H. C. Rice
J. L. Bradford	David J. Howard	Avery Sartin
O. V. Brown	Joe Huddleston	Joe Schneider
R. J. Cain	A. R. Hudson	Claude B. Smith
T. L. Caudel	Chas. L. Hunter	R. T. Smith
H. C. Chappell	J. W. Johnson	T. J. Smith
John Cook	W. H. Jones	John W. Swope
Fred Cornelius	Griffin Kelly	Elmore Thomas
W. P. Cropper	W. F. Klair	S. G. Thornberry
J. C. Davis	H. A. Knollman	W. F. Trusty
A. A. Demunbrun	J. E. Lilly	J. Wood Vance
H. L. Dixon	Harry J. Meyers	F. C. VanHoose
W. G. Dycus	Claude D. Minor	G. Frank Walthal
F. A. Easterling	S. H. Moore	T. R. Welch
J. M. Elliston	John T. Murphy	E. G. Young
I. H. Gabbard	A. J. McCandless	
Lark Garnett	W. P. McDonogh	—64

Those who voted in the negative were—

W. T. Beckham	Ben Street	J. B. Thomas

—3

A message was received from the Senate announcing that they had passed a bill which originated in the House of the following title, viz:

H. B. 22. An act to repeal and re-enact section 1, chapter 39, of the Acts of 1916, amending chapter 19 of the Acts of 1914, which is an act concerning the trial and punishment of prisoners indicted for felony and misdemeanor.

With the following Senate amendment proposed thereto, viz:

Amend House Bill No. 22 by inserting after the word "tried" in line 1, the words "in any court inferior to the Circuit Court."

And by inserting after the word "inflicted" in line four the words, "the jury by whom an offender is tried in a circuit court, shall fix by their verdict the punishment to be inflicted."

Mr. Klair moved that the House concur in Senate amendments to said bill.

Said motion was agreed to.

Said amendment was concurred in.

(For said bill see H. J. March 5, 1918.)

The yeas and nays being taken on the final passage of said bill, as amended by the Senate, in accordance with the provision of the Constitution were as follows, viz:

Those voting in the affirmative were—

Chas. Ashby	W. G. Dycus	Harry J. Meyers
J. H. Ballard	J. M. Elliston	Claude D Minor
Leroy Bonta	M. E. Gilbert	John T. Murphy
J. L. Bradford	W. H. Hager	Ryland C. Musick
O. V. Brown	E. C. Hardin	W. P. McDonogh
T. L. Caudel	Chas. L. Hunter	H. C. McGehee
H. C. Chappell	J. W. Johnson	S. Lee McGohan
Everett Cobb	Griffin Kelly	W. B. O'Bannon
W. P. Cropper	W. F. Klair	T. P. Oliver
James S. Cruse	H. A. Knollmann	H. C. Rice
A. A. Demunbrun	J. E. Lilly	Lewis Ryans

Joe Schneider	C. M. Thomas	G. Frank Walthal
Claude B. Smith	W. F. Trusty	T. R. Welch
Thomas Spurrier	J. Wood Vance	W. N. Winn
Ben Street	F. C. VanHoose	E. G. Young
John W. Swope	G. C. Waggoner	—47

Those who voted in the negative were—

W. T. Beckham	David J. Howard	Ote Piper
W. P. Bowman	Joe Huddleston	Richard Radcliffe
John Cook	A. R. Hudson	Avery Sartin
J. C. Davis	Leslie P. Jones	R. T. Smith
I. H. Gabbard	W. H. Jones	T. J. Smith
J. S. Hall	A. J. McCandless	Elmore Thomas
L. B. Hamilton	Lilburn Phelps	S. G. Thornberry
		—21

The House took up for consideration from the orders of the day a bill entitled:

S. B. 57. An act to amend and re-enact sub-section 10 of section 12 of chapter 1, of the Acts of the Extraordinary Session of the General Assembly of 1917, relating to the conference of the county tax assessors.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That subsection 10 of section 12 of chapter 11 of the Acts of the Extraordinary Session of 1917 be amended and re-enacted so that it will read as follows:

It shall be the duty of the State Tax Commission to arrange for an annual conference of the county tax commissioners, or the officer whose duty it is to assess property for taxation. Said meeting shall be held in Frankfort and shall

be for the purpose of giving systematic instruction in finding and for the fair and just valuation and assessment of every kind of property subject to taxation under this act, and as to their practical duty in every step in connection therewith. Said conference shall continue not more than five days. It shall be the duty of such officer to attend and take part in such conference, unless prevented by illness, or by other reason satisfactory to the State Tax Commission. Any such officer wilfully failing to attend said conference may be removed from office by the circuit court of the county wherein he was elected. One-half of the actual and necessary expenses of such officer in attending said conference shall be paid by the State upon a certification to the Auditor by the State Tax Commission and one-half of the actual and necessary expenses of such officer attending such conference shall be paid by the county from which such officer attends. Each of such officers shall make out an itemized statement showing his actual and necessary expenses and the same shall be approved by the State Tax Commission before payments.

Mr. Johnson moved that said bill be laid on the table.

Said motion was disagreed to.

Mr. Klair moved the previous question.

The Speaker stated: Shall the main question be now put?

Said question was decided in the affirmative.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Chas. Ashby	F. A. Easterling	H. C. McLellen
B. S. Bailey	J M. Elliston	W. B. O'Bannon
L. D. Baldauf	W. H. Hager	A. J. Oliver
J. H. Ballard	A. L. Hamilton	T. P. Oliver
B. C. Beckmann	E. C. Hardin	W. F. Paris
H. V. Bell	Chas. L. Hunter	H. C. Rice
Leroy Bonta	W. H. Jones	Lewis Ryans
O. V. Brown	Griffin Kelly	Joe Schneider
R. J. Cain	W. F. Klair	Thomas Spurrier
T. L. Caudel	Joseph Lazarus	Ben Street
H. C. Chappell	M. E. Lee	W. F. Trusty
Everett Cobb	J. E. Lilly	J Wood Vance
W. P. Cropper	Harry J. Meyers	G. C. Waggoner
James S. Cruse	Claude D. Minor	G. Frank Walthal
J. C. Davis	W. P. McDonogh	T. R. Welch
A. A. Demunbrun	H. C. McGehee	W. N Winn
W. G. Dycus	S. Lee McGohan	E. G. Young

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Those who voted in the negative were—

W. T. Beckham	Joe Huddleston	Claude B. Smith
John Cook	H. A. Knollmann	R. T. Smith
L. L. Embry	John T. Murphy	T. J. Smith
I. H. Gabbard	A. J. McCandless	John W. Swope
Lark Garnett	Lilburn Phelps	Claude M. Thomas
M. E. Gilbert	Luther Pieratt	J. B. Thomas
J. S. Hall	Ote Piper	S. G. Thornberry
L. B. Hamilton	Richard Radcliffe	F. C. VanHoose
B. H. Harris	Avery Sartin	

—25

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 43. An act to regulate the admission of attorneys to practice law.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. No person shall hereafter be licensed as an attorney or counselor at law in this State, except as herein provided for.

§ 2. The Court of Appeals of Kentucky shall from time to time make and adopt such rules and regulations as the said court may see proper, fixing the moral qualifications of applicants and standards of acquirements, both academic and legal, to entitle them to admission to practice law in the courts of this Commonwealth. No applicant, however, shall be under the age of twenty-one years.

§ 3. There is hereby created a Board of Examiners on Admission to the Bar. The board shall consist of three (3) members, each of whom shall possess the qualifications of a circuit judge, who shall be appointed by the Court of Appeals of Kentucky, and shall hold office for the term of three (3) years and until the appointment and qualification of their successors, respectively, except that three (3) examiners first appointed shall hold office for one, two and three (1, 2 and 3) years, respectively, the said court indicating at the time of their appointment which of said examiners shall hold for each of said terms. All vacancies, however, occurring shall be filled by appointment by said court. The member of said board who is senior in point of service shall act as its chairman, except that of the members constituting the first board, the holder of the shortest term shall be its chairman.

§ 4. The members of the board shall be appointed within thirty (30) days after this act shall take effect. A majority of them shall constitute a quorum, and said board shall proceed promptly after their appointment to the performance of its duties.

§ 5. Applicants who may appear before the board for license to practice law shall be examined as to their qualifications. All such examinations shall be in writing and be on such subjects as shall be prescribed by said Court of Appeals, and the answers of the applicants to the questions propounded to them shall be graded by said board, and no such applicant shall be granted license unless he secures a general average of seventy-five (75) per cent. The board shall certify to the said court the name of each applicant who shall have passed the required examination before it. The said court shall enter an order licensing and admitting to practice as an attorney and counselor in all the courts of this State, each person who complies with the rules and regulations it shall adopt; which license, if procured by fraud, may be revoked by the court at any time within two years from its issuance. The applicant before beginning the practice of law will take the oath as now required.

§ 6. The Court of Appeals shall at the time of its appointment of the first Board of Examiners prescribe the subjects upon which the examination of those applicants for license who appear before the board shall be made, and from time to time make such changes in the list of subjects prescribed as to said court may seem proper; and the Board of Examiners shall from time to time make such rules and regulations as to the manner of holding and conducting its meetings and proceedings as said board may deem proper. Provided, however, that not more than six (6) sessions of said board may be held in any one year, and said sessions should be held at as nearly regular intervals as may be deemed ad-

visable and must be held at such a place or places as may be selected by said court.

§ 7. Each person who applies for a license to practice law in this State under any rule adopted by said court, shall file a written application with the clerk of the court, on such form as may be adopted by the court, and shall pay to said clerk a fee of $10.00, and in case of the failure of such applicant to secure his license, he shall at the time of any subsequent application pay a fee of five ($5.00) dollars; but no one shall be permitted to file another application within six months next after his last application. All fees collected as aforesaid shall be paid by the said clerk at once into the State Treasury. The said Court of Appeals shall make an allowance to each of said examiners for his services, which shall be paid out of the fees so paid in (and from no other source) a sum not to exceed two hundred dollars per annum, and his necessary expenses while engaged in the performance of his duties; the same to be paid in quarterly instalments on statements filed with the court.

§ 8. A certified copy of the license granted by the said court may be had at any time, and it shall be as valid as the original order. Each applicant shall pay to the clerk of said court the fees allowed by law in connection with his application.

§ 9. The Court of Appeals shall make such provisions, rules and regulations as it may deem proper for the admission to practice law in this State of persons who have been licensed to practice law in other States or countries.

§ 10. The provisions of this act shall not apply to any person now holding a license to practice law in this State.

§ 11. Nothing in this act shall be construed to prevent a non-resident attorney in good standing from appearing and practicing in a case in which he may be employed.

§ 12. All laws and parts of laws in conflict with this act are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

J. H. Ballard
W. T. Beckham
B. C. Beckmann
Leroy Bonta
W. P. Bowman
J. L. Bradford
O. V. Brown
R. J. Cain
T. L. Caudel
Everett Cobb
John Cook
A. S. Cooper
James S. Cruse
J. C. Davis
A. A. Demunbrun
J. M. Elliston
I. H. Gabbard
M. E. Gilbert
W. H. Hager
J. S. Hall
L. B. Hamilton
B. H. Harris
David J. Howard
Joe Huddleston
A. R. Hudson
W. H. Jones
Griffin Kelly
W. F. Klair
H. A. Knollman
Joseph Lazarus
M. E. Lee
Harry J. Meyers
Claude D. Minor
S. H. Moore
John T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
H. C. McGehee
S. Lee McGohan
H. C. McLellen
W. B. O'Bannon
A. J. Oliver
W. F. Paris
Lilburn Phelps
Ote Piper
H. C. Rice
Lewis Ryans
Avery Sartin
Joe Schneider
Claude B. Smith
R. T. Smith
T. J. Smith
Ben Street
John W. Swope
Claude M. Thomas
J. T. Thornton
W. F. Trusty
J. Wood Vance
F. C. VanHoose
G. C. Waggoner
G. Frank Walthal
T. R. Welch
E. G. Young

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Those who voted in the negative were—

B. S. Bailey	L. L. Embry	Richard Radcliffe
Fred Cornelius	J. W. Johnson	
W. G. Dycus	J. E. Lilly	—7

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 59. An act to repeal and re-enact article 15, chapter 32, Kentucky Statutes, which is entitled: Sale and purchase of corporations, and consists of section 883b of Carroll's Kentucky Statutes, edition of 1915, by substituting the terms of this act therefor.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That article 15, chapter 32, of the Kentucky Statutes, which article is entitled "Sale and Purchase of Corporations," and is section 833b of Carroll's Kentucky Statutes, edition of 1915, be repealed and re-enacted so that the same shall hereafter read as follows:

"b 1. Any corporation now or hereafter organized under the laws of this State or of any other State or territory of the United States shall have power to sell and convey all of its property, rights, privileges, franchises, easements,

rights of way, and all other property and property rights it may use or possess.

"2. Any such corporation shall be authorized to purchase the corporate assets of any other corporation organized under the laws of this State or of any other State or territory of the United States and engaged in the same character of business.

"3. No such sale shall be valid unless consented to by the holders of not less than three-fourths (3-4) of the capital stock of the vendor corporation, which consent shall be given either in writing or by vote at a special meeting of the said stockholders called for that purpose upon the same notice as that required for the annual meetings of the corporation, which notice shall clearly state the purpose for which the meeting is called.

"Any stockholder of the vendor corporation may notify its secretary in writing on or before the date of such meeting that he objects to the proposed sale. If the proposed sale shall be consummated, the vendee therein thirty (30) days thereafter, upon the demand of such dissenting stockholder and upon his surrender of his stock therein to the vendor corporation for cancellation, shall pay to such dissenting stockholder the market value of his stock, which shall in no event be less than the book value of said stock according to the last balance sheet of the selling corporation. Any amount so paid by the vendee to dissenting stockholders shall be deducted from the purchase price of the property in question."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

B. S. Bailey	David J. Howard	Ote Piper
A. L. Baldwin	Chas. L. Hunter	Richard Radcliffe
W. T. Beckham	J. W. Johnson	H. C. Rice
B. C. Beckmann	Leslie P. Jones	Avery Sartin
Leroy Bonta	Grimm Kelly	Joe Schneider
W. P. Bowman	W. F. Klair	Claude B. Smith
J. L. Bradford	H. A. Knollmann	R. T. Smith
O. V. Brown	M. E. Lee	T. J. Smith
T. L. Caudel	J. E. Lilly	Thomas Spurrier
Everett Cobb	Harry J. Meyers	Ben Street
John Cook	Claude D. Minor	John W. Swope
A. S. Cooper	S. H. Moore	Claude M. Thomas
Fred Cornelius	John T. Murphy	J. T. Thornton
A. A. Demunbrun	Ryland C. Musick	S. G. Thornberry
H. L. Dixon	A. J. McCandless	J Wood Vance
W. G. Dycus	W. P. McDonogh	G. C. Waggoner
F. A. Easterling	H. C. McGehee	G. Frank Walthal
J. M. Elliston	H. C. McLellen	T. R. Welch
L. L. Embry	W. B. O'Bannon	W. N. Winn
T. H. Gabbard	A. J. Oliver	E. G. Young
L. B. Hamilton	W. F. Paris	
R. H. Harris	Luther Pieratt	—64

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 282. An act to amend and re-enact chapter 126 of the acts of 1912 being section 4758a of the Kentucky Stat-

utes, entitled: An act to regulate the assignment, pledge, sale, etc., of wages.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 126 of the Acts of 1912, being section 4758a, of the statutes entitled, "An act to regulate the assignment, sale, pledge, mortage and other transfer of wages to be earned or paid in the future where a whole or part of the consideration therefor is a sum of money of less than $200.00," be amended by striking out of section 2 thereof the following words, to-wit:

"Provided, however, that if notice of said assigment be given to said employer by delivering to him a copy of said instrument within three days after the date of the making thereof, the acceptance of said employer shall not be necessary to the validity of said instrument."

So that said act, as amended, shall read as follows, to-wit:

§ 1. No assignment, sale, pledge, mortgage or other transfer of wages to be earned or paid in the future where the whole or a part of the consideration for said assignment, sale, pledge, mortage or other transfer, is a sum of money of less than $200.00, shall be valid unless the instrument evidencing the same—

(a) Be in writing subscribed by the assignor, and bear the true date of its signature by the assignor, and the true date of delivery of such sum of money.

(b) Contain a true statement of the consideration, the amount of money advanced or paid, of the interest and all

other fees and charges paid or agreed to be paid by the assignor and the time when said debt matures; and if said debt is to be paid in installments, the date of payment of each installment.

(c) The full name or names and address or addresses of the assignee, vendee, pledgee, or mortgagee; if a firm or partnership, the name of each member of the partnership; and in the case of a non-resident partnership or individual, and of a corporation, the name and address of some person in the State upon whom process may be served in any litigation involving said instrument.

§ 2. No instrument shall be valid against the employer of the person to whom such wages are payable unless and until said employer shall signify in writing upon said instrument his assent to said assignment, sale, pledge, mortgage or other transfer.

§ 3. No such instrument shall be valid against such wage earner unless a full, true and complete copy thereof be delivered to the wage earner at or before the time of the payment of the consideration to him; nor shall any such instrument be valid against any such wage earner in any case where it shall appear that said copy was taken from his possession with or without his consent thereafter by the assignee, pledgee, vendee, or mortgagee, altered or destroyed directly or indirectly by such assignee, vendee, pledgee, or mortgagee, or his agent, with or without the consent of said wage earner or his agent. Said assignee, vendee, pledgee or mortgagee shall upon demand furnish an exact copy of said instrument to said wage earner upon the payment of the sum of ten cents, and any false statement made in such copy shall make the original instrument invalid against such wage earned. The time and amount of all payments made by such wage earner under the terms of such instrument shall be endorsed on said copy and on the original shall be a part thereof; and a failure to so endorse such payments, if any thereon, shall make such instrument invalid.

§ 4. No such assignment, sale, pledge, mortgage or transfer shall be valid or enforcible unless it be for a fixed and definite part of the wages earned or if wages to be erned during a period not exceeding ninety days immediately following the date of said instrument. Any such instrument which shall be dated any other date than that of its execution shall be void.

§ 5. National banks and all State banks and trust companies shall be exempt from the provisions of this act.

§ 6. The validity of any portion of this act shall not affect the validity of any other portion thereof, which can be given effect without such invalid parts.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Chas. Ashby	A. S. Cooper	W. H. Hager
L. D. Baldauf	Fred Cornelius	J. S. Hall
W. T. Beckham	W. P. Cropper	L. B. Hamilton
B. C. Beckmann	James S. Cruse	B. H. Harris
Leroy Bonta	A. A. Demunbrun	David J. Howard
W. P. Bowman	H. L. Dixon	Joe Huddleston
O. V. Brown	W. G. Dycus	A. R. Hudson
R. J. Cain	F. A. Easterling	Chas. L. Hunter
T. L. Caudel	J. M. Elliston	J. W. Johnson
H. C. Chappell	L. L. Embry	Leslie P. Jones
Everett Cobb	I. H. Gabbard	Griffin Kelly
John Cook	Lark Garnett	W. F. Klair

H. A. Knollmann	A. J. Oliver	Ben Street
J. E. Lilly	T. P. Oliver	John W. Swope
Harry J. Meyers	W. F. Paris	Claude M. Thomas
Clarence Miller	Luther Pieratt	Elmore Thomas
Claude D. Minor	Richard Radcliffe	G. F. Thompson
S. H. Moore	H. C. Rice	J. T. Thornton
Ryland C. Musick	Lewis Ryans	W. F. Trusty
A. J. McCandless	Avery Sartin	J. Wood Vance
W. P. McDonogh	Joe Schneider	F. C. VanHoose
H. C. McGehee	Claude B. Smith	G. Frank Walthal
S. Lee McGohan	R. T. Smith	T. R. Welch
H. C. McLellen	T. J. Smith	W. N. Winn
W. B. O'Bannon	Thomas Spurrier	E. G. Young

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Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 110. An act regulating the weight of load that may be hauled over public streets, highways, bridges and culverts, and regulating speed of automobile trucks and automobiles and providing penalties for violation.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Maximum Load On Roads Or Streets.—No traction engine, trailer, wagon, truck, steam roller, automobile truck or any vehicle, whether propelled by muscular or motor power,

weighing in excess of fifteen tons, including weight of vehicle, object or contrivance and load shall be operated over and upon the public streets, highways, bridges or culverts within the State except as hereinafter provided. This provision shall not apply to vehicles run upon rails or track or fire engines, fire trucks or other vehicles or apparatus belonging to any municipal or volunteer fire departemnt or used by such department in the discharge of its functions.

Permission For Excess Weight.—The county judge or the county road engineer of any county upon an application in writing by the owner or person having charge thereof, may grant permission for the movement of vehicles, objects or structures in excess of the total weight of fifteen tons, including weight of vehicle, object, contrivance, structure and load over the highways, bridges or culverts within such county and located outside of any municipal corporation. Such permission shall be in writing and the county judge or the county road engineer may grant the same, subject to such conditions and restrictions as in his judgment are necessary for the preservation and protection of such highways, bridges and culverts.

The city engineer or mayor of any city or village may in like manner grant such permission as to the public highways, streets, bridges or culverts within such city or village.

Width of Tire.—No person, firm or corporation shall transport over the public highways, streets, bridges or culverts within this State in a vehicle propelled by either muscular or motor power, a burden, including weight of load and vehicle, greater than the following:

In vehicles having iron or steel tires two inches or less in width, a load of five hundred pounds for each inch of the total width of tire surface on all wheels, when the tires on such vehicle exceed two inches in width the limit shall not exceed five hundred pounds per each inch width of tire, for two

inches of width, plus four hundred pounds of each additional one inch of width.

In vehicles having tires of rubber or other similar substance, a load of eight hundred pounds for each inch of the total width of tire surface on all wheels. The width shall be measured at that part of the tire which comes in contact with the road. The provisions of this section shall apply to iron or steel tired horse drawn vehicles, and to rubber tired vehicles when in use upon the streets and thoroughfares of any city or village, unless such person, firm or corporation who desires to operate the vehicle on the roads or streets within any city or village shall have special permission in writing from the mayor or city engineer or other governing body of the town.

Maximum Load and Speed of Heavy Vehicle.—No traction engine, trailer, steam roller, automobile truck or other power vehicle carrying a weight in excess of four tons, including weight of vehicle, shall be operated upon any of the public highways, streets, bridges or culverts within the State at a greater speed than fifteen miles per hour, and no such vehicle carrying a weight in excess of six tons, including the weight of such vehicle, shall be operated upon any public highways, streets, bridgs or culverts at a greater speed than eight miles per hour, when such vehicles are equipped with iron or steel tires, or at a speed greater than twelve miles per hour when such vehicle is equipped with tires of rubber or other similar substances.

It shall be unlawful for any owner or driver of an automobile to exceed a speed of twenty-five miles per hour.

This shall not apply to fire departments or ambulances.

Penalties—Any person violating any of the provisions of this act shall be guilty of a misdemeanor and shall be fined not less than $15.00 nor more than $100.00. It shall be the duty of the courts and all peace officers to see that the provisions of this act are put in force and effect, and all fines,

after payment of commissions to officers legally entitled thereto, shall go to the credit of the road fund in the county or to the street fund in the city or village, dependent upon where the offense is committed.

The failure of any peace officer, when properly informed, to do his duty as prescribed in this act shall constitute a misdemeanor and he shall be fined not less than $50.00 nor more than $100.000 and all such fines shall go to the credit of the road fund in the county or the street fund in the city or village, dependent upon where the offense is committed.

All laws or parts of laws in conflict herewith are hereby repealed.

Mr. L. B. Hamilton offered the following amendment to said bill, viz:

Amend Senate Bill No. 110, page 1, line 27 and line 28, by striking out the words "five hundred" and inserting the words "one thousand" pounds.

Said amendment was disagreed to.

Mr. Klair moved the previous question.

The Speaker stated: Shall the main question be now put?

Said question was decided in the affirmative.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Chas. Ashby	H. L. Dixon	Lilburn Phelps
B. S. Bailey	W. G. Dycus	Luther Pieratt
L. D. Baldauf	J. M. Elliston	Richard Radcliffe
J. H. Ballard	I. H. Gabbard	H. C. Rice
A. L. Baldwin	Lark Garnett	Lewis Ryans
W. T. Beckham	J. S. Hall	Avery Sartin
B. C. Beckmann	A. L. Hamilton	Joe Schneider
H. V. Bell	E. C. Hardin	Claude B. Smith
Leroy Bonta	B. H. Harris	Thomas Spurrier
W. P. Bowman	David J. Howard	Ben Street
J. L. Bradford	J. W. Johnson	John W. Swope
O. V. Brown	W. F. Klair	Claude M. Thomas
R. J. Cain	H. A. Knollmann	Elmore Thomas
T. L. Caudel	M. E. Lee	J. B. Thomas
H. C. Chappell	J. E. Lilly	G. F. Thompson
Everett Cobb	Harry J. Meyers	J. T. Thornton
John Cook	Clarence Miller	W. F. Trusty
A. S. Cooper	Ryland C. Musick	J. Wood Vance
Fred Cornelius	A. J. McCandless	F. C. VanHoose
W. P. Cropper	W. P. McDonogh	G. C. Waggoner
James S. Cruse	H. C. McGehee	T. R. Welch
J. C. Davis	W. B. O'Bannon	W. N. Winn
A. A. Demunbrun	A. J. Oliver	E. G. Young
Harry Dill	W. F. Paris	

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Those who voted in the negative were—

L. L. Embry	A. R. Hudson	R. T. Smith
W. H. Hager	W. H. Jones	T. J. Smith
L. B. Hamilton	Griffin Kelly	S. G. Thornberry
Joe Huddleston	Claude D. Minor	G. Frank Walthal

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Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 142. An act to provide a method whereby an election on constitutional amendments, submitted to the people for their approval or rejection, may be contested, providing inspectors and challengers in such election, providing penalties and defining crimes in connection with such election.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any qualified elector may contest an election, or demand a recount of ballots on constitutional amedments, submitted to the voters of the State for their ratification or rejection, as herein provided. Such elector having the right to vote on the question submitted, and having voted, may file petition setting forth the grounds of the contest with the clerk of the Franklin Circuit Court, not more than fifteen days after the official canvass and the announcement of such vote for the State by the State Board of Election Commissioners. The contestant may file with the clerk of said court and the clerk of the Court of Appeals, a notice of his intention to contest the election before the announcement of the official count by the State Board of Election Commissioners, and thereupon the clerk of the Court of Appeals shall forthwith notify all the county boards of election commissioners in the counties involved in such contest to hold the ballots cast at such election on such question subject to the order of the Franklin Circuit Court. Such notice shall be served by the clerk of the Court of Appeals by mailing a true and certified copy of such notice of contest, and order to hold such ballots subject to the order of the court, by registered mail to the sheriff of the counties in question, and such sheriffs

are required to acknowledge receipt thereof on receiving same.

§ 2. If the Franklin Circuit Court be not in session at the time of the filing of the notice of such contest, the clerk of the court shall immediately notify the judge of such court of the filing of such contest, and the judge thereof shall within five days after the filing of the notice of contest determine whether there are sufficient grounds stated to justify such contest, and shall thereupon require the contestants to give bond for costs. All of the hearing relating to such contests shall be heard in the courthouse of Franklin County.

§ 3. If such contest involves the recount of ballots, the procedure therefor be as follows:

a. Upon the giving of such bond as above provided, and after the court has determined that the notice of contest presents sufficient grounds, the judge of the Franklin Circuit Court shall immediately order the ballots of the counties and precincts in which the recount is demanded sent to the courthouse at Frankfort, Kentucky, in such manner as said judge may designate, and said court may appoint two special commissioners to help make the said recount. The attorneys representing the contestant and the Commonwealth's attorney representing the contestee, as hereinafter provided, may be present at all hearings on such recount. Such special commissioners shall receive $3.00 per day and the actual traveling expenses, when approved by the judge of the Franklin Circuit Court.

b. The contestant and contestee shall each be entitled to appoint one inspector, who shall be allowed to witness the recount.

c. The result of the recount of ballots shall be reported to the court together with all the disputed ballots and any ballots not counted for any reason, within three days after the same shall have been completed. The court after inspecting and passing on such disputed and uncounted ballots shall

add such thereof as shall be found to be legal, to the number of legal ballots determined by the recount. In passing on such disputed, uncounted, or any other ballots cast, if it be shown to the satisfaction of the court that such ballots were procured by fraud, duress, bribery, intimidation, or for money or other valuable consideration, such ballot or ballots shall be rejected as illegal and void.

d. Any person who tampers with, or changes the ballots, or opens the receptacles in which the ballots are contained without the order of the court, shall be fined not less than $500.00, nor more than $1,000.00, and be imprisoned in the county jail not less than six months nor more than one year.

§ 4. If, in any of the precincts the error or fraud, or other irregularity is such as to make it impossible to ascertain the correct result, the ballots from such precinct shall be thrown out and considered void.

§ 5. The vote from any precinct shall not be counted when it is proven by the contestants that there was bribery or intimidation of the electors in such precinct and the court finds that the contestants were in the minority in such precinct and were not in any way implicated in the bribery or fraud complained of.

§ 6. Any act or deed denounced as an offense by the general laws of the State concerning elections, shall also be an offense in elections concerning constitutional amendments, and shall be punished in same form and manner as is provided for the punishment of similar offenses by the general laws, unless otherwise provided herein. All laws relating to contested elections for State offices shall apply with equal force to contests of the character contemplated herein, and shall be as effective as though fully set out in this article, except as otherwise provided herein.

§ 8. Not later than thirty days prior to an election at which constitutional amendments are to be submitted to the

vote of the people, any committee which in good faith advocates or opposes such amendment may file a petition with the sheriff of the county asking that such petitioners be recognized as the committee entitled to nominate inspectors and challengers to serve at the election at which such constitutional amendment is to be voted on. If more than one committee alleging themseves to advocate or oppose the same amendment file such petition the County Board of Election Commissioners shall decide and announce by registered mail, to each committee not less than twelve days immediately preceding the election, which committee is entitled to nominate such challengers and inspectors. Such decision shall not be final but any aggrieved party may institute proceedings in the county court of the respective counties, and upon hearing the county judge shall determine which of such committees shall be recognized as the one to select inspectors and challengers at such elections.

§ 9. Such committee shall file the names of the persons nominated by it with the sheriff of the county at least five days before the election. It shall thereupon be the duty of the County Board of Election Commissioners within two days thereafter to certify the nominees of such committee for the respective precincts to serve as challengers and inspectors at the election where any constitutional amendment is to be voted upon. If more than one amendment is to be voted upon the County Board of Election Commissioners may designate on the petition of said committee one person for each amendment to serve as inspector at such election and one person for each amendment to serve as challenger at such election.

§ 10. The challengers and inspectors shall perform their duties in the same manner and subject to the same privilege as other inspectors and challengers at such an election.

§ 11. Any elector who has participated in any election where the question of the ratification or rejection of a con-

stiutional amendment is involved may make himself a party as contestee under this act by filing his petition to be made a party in the action pending in the Franklin Circuit Court not later than five days after said contest is instituted, and by giving bond for cost as is required by the contestant under the provisions of this act.

§ 12. It shall be the duty of the clerk of the Franklin Circuit Court to cause to be published in some paper of general circulation in the State of Kentucky within two days after a contest is filed under the provisions of this act, a notice of such contest setting out in such publication the substance or the grounds of contest alleged by the contestants.

§ 13. Where no elector makes himself a party to such contest under the provisions of this act, it shall be the duty of the Commonwealth's attorney for the Franklin Circuit Court to attend the trial of such cause, and he may file such motions, and pleadings in said cause on behalf of the Commonwealth as will insure a fair and honest determination of the contest.

§ 14. The Franklin Circuit Court shall have exclusive jurisdiction to hear and determine all matters in contest cases filed under the provisions of this act, and an appeal to the Court of Appeals may be prosecuted by any party to the contest in the same manner as now provided by law for appeals in other contest election cases.

§ 15. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Chas. Ashby
W. T. Beckham
B. C. Beckmann
H. V. Bell
Leroy Bonta
W. P. Bowman
J. L. Bradford
O. V. Brown
R. J. Cain
T. L. Caudel
H. C. Chappell
John Cook
A. S. Cooper
Fred Cornelius
A. A. Demunbrun
Harry Dill
H. L. Dixon
W. G. Dycus
L. L. Embry
J H. Gabbard
Lark Garnett
M. E. Gilbert
W. H. Hager
L. B. Hamilton
E. C. Hardin
B. H. Harris
David J. Howard
Joe Huddleston
A. R. Hudson
J. W. Johnson
Leslie P. Jones
W. H. Jones
H. A. Knollmann
Joseph Lazarus
J. E. Lilly
Harry J. Meyers
Clarence Miller
Claude D. Minor
S. H. Moore
Ryland C. Musick
A. J. McCandless
H. C. McGehee
W. B. O'Bannon
A. J. Oliver
W. F. Paris
Luther Pieratt
Ote Piper
Richard Radcliffe
H. C. Rice
Avery Sartin
R. T. Smith
T. J. Smith
John W. Swope
Claude M. Thomas
J. B. Thomas
G. F. Thompson
J. T. Thornton
S. G. Thornberry
J. Wood Vance
F. C. VanHoose
G. C. Waggoner
G. Frank Walthal
T. R. Welch
E. G. Young

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Those who voted in the negative were—

W. F. Klair
Joe Schneider

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Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 63. An act to amend section 1632 of the Kentucky Statutes 1915 edition, compiled by the Hon. John D. Carroll, relating to rebinding and transcribing of books of records in counties having no official indexer.

Said bill reads as follows viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1632 of the Kentucky Statutes, Edition of 1915, as compiled by Hon. John D. Carroll, be and the same is hereby amended, by adding thereto and at the end thereof the following words, to-wit:

"In other counties the county court may order any of the books or records in the clerk's office of such court, or in the office of the surveyor of the county, to be rebound; or, when obliterated, torn or in a ruinous condition, to be transcribed in new books or whenever it shall become necessary to re-arrange, classify or re-index the records of the circuit clerk's office and the fiscal court of said county shall make a reasonable allowance for such service to the commissioner or other person so performing same and to be paid out of the county levy."

So that said section when amended shall read as follows:

"In any county having an official indexer the judge of the circuit court of said county and the judge of the county court of said county, sitting jointly, may order any of the books or records in the county clerk's office, or in the office of the clerk of the quarterly court, or in the office of the surveyor of the county, or in the circuit clerk's office to be rebound, or when obliterated, torn or in a ruinous condition, to be transcribed in new books, and said transcription shall be done by the official indexer without any extra compensation; but when, in the opinion of two-thirds of said judges, said indexer, on account of other pressing work, shall not be able in

due time to transcribe said old books into books, said judges may order said work to be done by the clerk of any court mentioned above as to the books in his own office, and in the order directing said work to be done the amount of said work and the compensation therefor shall be fixed in advance by the vote of two-thirds of said judges; or they may receive bids for the performance of said work and may award the right to do the same to the lowest bidder under proper rules and regulations for the proper and safe execution of the same, with due regard to the importance of duly safeguarding the original records. The amount allowed for said work shall be chargeable to the county and paid by the fiscal court of said county.

In other counties the county court may order any of the books or records in the clerk's office of such court, or in the office of the surveyor of the county, to be rebound; or when obliterated, torn or in a ruinous condition, to be transcribed in new books or whenever it shall become necessary to re-arrange, classify or re-index the records of the circuit clerk's office and the fiscal court of said county shall make a reasonable allowance for such service to the commissioner or other person so performing same and to be paid out of the county levy.

And whereas there is now no provision authorizing said work in many counties of this Commonwealth and as a result thereof many of the records are in need of immediate rebinding and transcribing, therefore an emergency is declared to exist and this act shall take effect immediately upon its passage and approval by the Governor.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Chas. Ashby
B. S. Bailey
L. D. Baldauf
W. T. Beckham
B. C. Beckmann
Leroy Bonta
W. P. Bowman
J. L. Bradford
O. V. Brown
R. J. Cain
T. L. Caudel
H. C. Chappell
Everett Cobb
John Cook
A. S. Cooper
Fred Cornelius
W. P. Cropper
James S. Cruse
A. A. Demunbrun
Harry Dill
H. L. Dixon
W. G. Dycus
F. A. Easterling
L. L. Embry
I. H. Gabbard
Lark Garnett
M. E. Gilbert
W. H. Hager
A. L. Hamilton
E. C. Hardin
David J. Howard
Joe Huddleston
A. R. Hudson
Chas. L. Hunter
J. W. Johnson
Leslie P. Jones
W. H. Jones
W. F. Klair
H. A. Knollmann
Joseph Lazarus
M. E. Lee
J. E. Lilly
Harry J. Meyers
Clarence Miller
John T. Murphy
A. J. McCandless
W. P. McDonogh
H. C. McGehee
H. C. McLellen
W. B. O'Bannon
A. J. Oliver
T. P. Oliver
W. F. Paris
Lilburn Phelps
Luther Pieratt
Ote Piper
Richard Radcliffe
H. C. Rice
Avery Sartin
Joe Schneider
Claude B. Smith
R. T. Smith
T. J. Smith
Thomas Spurrier
Claude M. Thomas
J. B. Thomas
J. T. Thornton
J. Wood Vance
F. C. VanHoose
G. C. Waggoner
G. Frank Walthal
T. R. Welch
W. N. Winn
E. G. Young

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Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 180. An act to amend an act entitled:

An act creating the Thirty-sixth Judicial District of Kentucky, fixing the time of holding courts thereof, providing for the appointment of and an election of a circuit judge and Commonwealth's attorney, and changing the Twenty-third, Thirty-first and Thirty-second Judicial District of Kentucky so as to provide for said Thirty-sixth District, and fixing the time for holding the courts in said district and in the other districts affected.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an act entitled, "An Act creating the Thirty-sixth Judicial district of Kentucky; fixing the time of holding courts thereof; providing for the appointment of and election of a circuit judge and Commonwealth's attorney, and changing the Twenty-third, Thirty-first and Thirty-second Judicial districts of Kentucky so as to provide for said Thirty-sixth district, and fixing the time for holding the courts in said district and in other districts affected," passed by the General Assembly of the Commonwealth of Kentucky in 1916, being chapter 80, Session Acts, 1916, pages 614-616, inclusive, be amended by substituting for the concluding portion of Paragraph 2, beginning with the words "in Magoffin county," to the end of said paragraph the following, "in Magoffin county, first Monday in April, second Monday in August and third Monday in November," so that said section when so amended shall read as follows, to-wit:

§ 2. The present judge and Commonwealth's attorney in the Thirty-second, Thirty-first and Twenty-third districts

shall remain in force and be unchanged for the time provided by law. The Governor shall appoint and commission a circuit judge and Commonwealth's attorney in the Thirty-sixth Judicial district, who shall hold their offices until their successor is elected and qualified. An election shall be held in said district to elect a circuit judge and Commonwealth's attorney at the regular November election, nineteen hundred and sixteen, to succeed the officers appointed under this act. The time of holding court in the Thirty-sixth Judical district shall be in Wolfe county, beginning the first Monday in February, the fourth Monday in May and the first Monday in September, and continue each term for eighteen juridical days; in Morgan county, first Monday in March, third Monday in June and the fourth Monday in September, and continue eighteen juridical days; in Magoffin county, first Monday in April, second Monday in August and third Monday in November, and continue eighteen juridical days.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	Everett Cobb	H. L. Dixon
L. D. Baldauf	John Cook	I. H. Gabbard
W. T. Beckham	A. S. Cooper	M. E. Gilbert
H. V. Bell	Fred Cornelius	W. H. Hager
J. L. Bradford	W. P. Cropper	J. S. Hall
R. J. Cain	A. A. Demunbrun	A. L. Hamilton
T. L. Caudel	Harry Dill	E. C. Hardin

B. H. Harris	S. H. Moore	R. T. Smith
David J. Howard	John T. Murphy	T. J. Smith
Joe Huddleston	Ryland C. Musick	Ben Street
Chas. L. Hunter	A. J. McCandless	Claude M. Thomas
J. W. Johnson	W. P. McDonogh	Elmore Thomas
Leslie P. Jones	W. B. O'Bannon	J. B. Thomas
W. H. Jones	A. J. Oliver	G. F. Thompson
Griffin Kelly	T. P. Oliver	J. Wood Vance
W. F. Klair	Luther Pieratt	F. C. VanHoose
H. A. Knollmann	Ote Piper	G. F. Walthal
S. D. Laughlin	H. C. Rice	T. R. Welch
J. E. Lilly	Avery Sartin	E. G. Young
Harry J. Meyers	Joe Schneider	
Claude D. Minor	Claude B. Smith	—61

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House then took up for consideration from the orders of the day a bill entitled:

S. B. 16. An act to amend and re-enact section 26 and to repeal section 27 of chapter 137 of the Acts of 1912, entitled an act creating boards of education in cities of the second class, providing for the election thereof, defining their powers and duties, and repealing all laws in conflict therewith, approved March 19, 1912.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 26 of chapter 137 of the Acts of 1912, entitled, "An act creating broads of education for cities of

the second class, providing for the election thereof, defining their powers and duties, and repealing all laws in conflict therewith," be, and the same is, hereby amended and re-enacted so that when amended and re-enacted said section will read as follows:

Section 26. Said board of education shall annually, in the month of January, approximately ascertain the amount of money which will be necessary to be used to defray the expenses of maintaining the schools, including sinking fund, repairs and improvements of buildings and any liquidations of liabilities falling due during the current fiscal year, and shall enter the same at large (together with the estimated approximate amount to be received from the common school fund of the state of Kentucky for the year) upon the minute book of the board, and power and authority is hereby conferred upon such board of education to impose and levy *ad valorem* taxes upon all real and personal property in such city subject to and assessed for taxation for city purposes, not exceeding a rate of sixty-five (65c) cents upon each one hundred dollars ($100) of taxable property, and shall also levy a sufficient amount to provide for sinking fund purposes for the fiscal year, and the taxes accruing from so much of said levy as is made for sinking fund purposes shall be by said board of education at once irrevocably set aside and used for that purpose and not otherwise, and said sinking fund as above provided for shall include the sinking fund for the entire outstanding bonded indebtedness of said board, whether created before or after 1912. Not later than the month of March annually, the board of education shall adopt a resolution imposing and levying an *ad valorem* tax upon all the real and personal property subject to taxation and assessed by said city for general purposes, at such rate, not exceeding sixty-five cents (65c) on the one hundred dollars ($100) valuation of said property, as shall, in the opinion of said board, be necessary to produce in that year the total

estimated sum necessary to be raised to support and maintain the public schools of the city, less the estimated sum to be received from the state common school fund, and shall also levy a tax for sinking fund purposes, and said resolution shall be forthwith certified under the seal of said board of education to the general council or board of commissioners of said city, and said levy at the rate so fixed and certified shall be by said general council or board of commissioners added to and included in the regular tax bills of the city, containing the ordinary levy, and shall be collected with the same, by the same officers and in the same manner and at the same time as the ordinary taxes for said city are collected by the collecting officers of the city, and all powers and duties conferred upon and required of officers in collecting the ordinary city taxes are hereby conferred upon and required of them in collecting the taxes levied by the board of education, and such collecting officer or officers, and his or their sureties, shall be severally liable under their official bonds for any failure in the performance of their duties on which bond or bonds, suit or suits may be brought for the use of said board and recovery had for such amount or amounts as shall be found due from such officer or officers. As and when said taxes are collected, the city treasurer, or other collecting officer of said city shall promptly pay the same to the treasurer of the board of education, taking the receipt of said treasurer for the sum so paid, which shall be the full acquittance of said treasurer therefor, and said board of education shall, under its seal, certify to the general council or board of commisioners, the name and location of its treasurer and of any change in said name or location Provided, however, that the limitation hereinbefore prescribed of the tax that may be levied for school purposes shall not apply where a bonded indebtedness has been incurred for public school purposes, and when such an indebtedness has been incurred that there may be levied in addition to the tax hereinbefore authorized, an

annual *ad valorem* tax sufficient to pay the interest on said indebtedness and also to constitute a sinking fund for the payment of the principal thereof.

The provisions hereof shall apply to any bonded indebtedness whether heretofore or hereafter created

§ 2. Section 27 of said act is hereby repealed.

§ 3. All laws or parts of laws in conflict with this act are, to the extent of such conflict, hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	M. E Gilbert	W. F. Klair
J. L. Bradford	W. H. Hager	H. A. Knollmann
R. J. Cain	J. S. Hall	M. E. Lee
T. L. Caudel	A. L. Hamilton	J. E. Lilly
John Cook	L. B. Hamilton	Harry J. Meyers
A. S. Cooper	E. C. Hardin	Claude D. Minor
Fred Cornelius	B. H. Harris	S. H. Moore
W. P. Cropper	David J. Howard	John T. Murphy
A. A. Demunbrun	Joe Huddleston	Ryland C. Musick
Harry Dill	A. R. Hudson	A. J. McCandless
H. L. Dixon	J. W. Johnson	W. P. McDonogh
W. G. Dycus	Leslie P. Jones	H. C. McGehee
L. L. Embry	W. H. Jones	W. B. O'Bannon
I. H. Gabbard	Griffin Kelly	T. P. Oliver

W. F. Paris	Claude B. Smith	J. B. Thomas
Luther Pieratt	R. T. Smith	G. F. Thompson
Ote Piper	T. J. Smith	J. Wood Vance
H. C. Rice	Ben Street	T. R. Welch
Avery Sartin	Claude M. Thomas	E. G. Young
Joe Schneider	Elmore Thomas	—59

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

In compliance with a resolution heretofore adopted providing that five members from the House be appointed to act with three members from the Senate to investigate the Constitution and statutory laws of this Commonwealth and ascertain whether or not under existing laws a state printing plant with capacity to execute all printing and binding now done for this Commonwealth under the contract system and to print and bind the entire school book system required by the public schools of the state is possible and practicable, the Speaker of the House appointed as such committee from the House Messrs. Dill, Bell, T. P. Oliver and Phelps.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

S. B. 21. An act relating to charitable institutions, and to appropriate money to the Eastern State Hospital, the Western State Hospital, the Central State Hospital, and the Kentucky Institute for Feeble Minded Children, to pay existing indebtedness of and deficits in accounts of aforenamed charitable institutions and to provide for certain improve-

ments at the Western State Hospital and the Eastern State Hospital.

S. B. 308. An act to amend section 4706, Carroll's Kentucky Statutes of 1915, entitled "investment of funds by fiduciary."

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

H. B. 126. An act to provide whole family protection for members of fraternal benefit societies.

H. B. 165. An act to repeal section 1342b of the Kentucky Statutes, Carroll's 1915 edition, and to re-enact the same.

H. B. 198. An act relating to the drainage of lands, establishment and construction of public ditches and drains and the strightening, widening, deepening or otherwise improving public ditches, drains, creeks or non-navigable streams, prescribing the method of procedure, the assessment and collection of costs and expenses thereof, creating ditch commissioner and prescribing the duties and compensation and providing for the payment thereof and employes having duties to perform hereunder and providing penalties.

H. B. 211. An act concerning loan and investment companies in cities of the first and second class, defining same and providing for the incorporation, powers, supervision and control of such companies.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills, which originated in the House, to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills which originated in the House, and which have been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Klair moved that when this House adjourns it be to meet again this afternoon at one-thirty o'clock p. m.

Said motion was agreed to.

Mr. Klair moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

AFTERNOON SESSION.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 184. An act to amend and re-enact subsection 1, section 4780a, chapter 133, of Kentucky Statutes, relating to oil warehouses.

Said bill reads as follows, viz..:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That subsection 1 of section 4780a of chapter 133 of the Kentucky Statutes be amended and re-enacted so that same will read as follows:

"Section 4780a. (1) Establishment of. That cotton seed oil, copra oil, grape seed oil, gasoline, kerosene, peanut oil, cocoanut oil, soya bean oil, corn oil, palm oil, olio oil, lard oil, all kinds of fish oils, turpentine, crude and refined petroleum oils of all kinds, vegetable, animal, fish and petroleum oils, fats and greases, molasses, syrups and other liquids, and all other oils, may be received and stored by the owner of any oil warehouse, and warehouse receipts may be issued therefor, as herein provided; the owners of such warehouse shall, before transacting any business, obtain a license and give bond as provided for by sections 4782 and 4783 of the Kentucky Statutes in the case of grain warehouses, such bond to be in the penal sum of twenty-five thousand ($25,000) dollars."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	David J. Howard	A. J. Oliver
L. D. Baldauf	Joe Huddleston	T. P. Oliver
J. H. Ballard	A. R. Hudson	W. F. Paris
A. L. Baldwin	Chas. L. Hunter	Lilburn Phelps
W. T. Beckham	J. W. Johnson	Luther Pieratt
J. L. Bradford	Leslie P. Jones	H. C. Rice
R. J. Cain	W. H. Jones	Lewis Ryans
T. L. Caudel	W. F. Klair	Joe Schneider
H. C. Chappell	H. A. Knollmann	Claude B. Smith
Fred Cornelius	S. D. Laughlin	R. T. Smith
James S. Cruse	Joseph Lazarus	T. J. Smith
A. A. Demunbrun	M. E. Lee	Thomas Spurrier
H. L. Dixon	J. E. Lilly	John W. Swope
W. G. Dycus	Claude D. Minor	Claude M. Thomas
F. A. Easterling	S. H. Moore	Elmore Thomas
I. H. Gabbard	John T. Murphy	G. F. Thompson
Lark Garnett	W. P. McDonogh	J. T. Thornton
W. H. Hager	H. C. McGehee	J. Wood Vance
L. B. Hamilton	S. Lee McGohan	T. R. Welch
E. C. Hardin	H. C. McLellen	
B. H. Harris	W. B. O'Bannon	—61

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 253. An act relating to public health, to provide State aid to any county, tuberculosis district, or public or

private organization not operated for profit, which shall employ a visiting nurse for the cure and prevention of tuberculosis and other diseases, and to render aid in times of war or emergency to the sick, afflicted, injured or distressed from any cause, under the supervision and direction of the State Board of Health.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any county, tuberculosis district, or other organization not operated for profit, which shall employ a visiting nurse for the cure and prevention of tuberculosis and other diseases in any county or counties of this Commonwealth, shall be entitled to recieve State aid in providing compensation for such nurse, in accordance with the provisions of this act.

§ 2. The fiscal court of any county, or the district board of trustees of any tuberculosis district, or any organization not operated for profit, is authorized and empowered to employ a registered nurse, whose duties shall be as follows: To give instructions to tuberculosis patients and others relating to hygienic measures to be observed in preventing the spread of tuberculosis and other diseases; to aid in making reports of existing cases of tuberculosis and other diseases; to act as visting nurse throughout the county or the tuberculosis district, and to perform such other duties as a nurse and hygienic expert as may be assigned to her by the fiscal court or the tuberculosis district board of trustees, or other organization employing her. Such visiting nurse shall, at the end of each month, make a report in writing to the county judge of the county, or the tuberculosis district board of trustees, and to the Kentucky Board of Tuberculosis Commissioners or its successors, which reports shall show the

visits made during the month then ending and the requests made for her services, and such other information as may be required by the fiscal court, the district board of trustees, or the Kentucky Board of Tuberculosis Commissioners, or its successors.

§ 3. Before any nurse can be appointed within the provisions of this act she must be a registered nurse. Such nurse shall at all times be subject to the supervision of the Kentucky Board of Tuberculosis Commissioners or its successors under such rules and regulations as said commissioners or their successors shall prescribe.

§ 4. For the compensation of such visiting nurse, there shall be allowed each and every year, and paid out of the State Treasury from funds not otherwise appropriated, to every county, tuberculosis district or other organization employing a visiting nurse within the provisions of this act, a sum equal to one-third of the money actually paid to such nurse as compensation for her services; however, in case the sum of money actually paid to such nurse as compensation for her services exceeds $75.00 (seventy-five dollars) per month, the amount to be paid by the State shall not exceed $25.00 (twenty-five dollars) per month for each nurse, and be limited to one visiting nurse to each county.

The money hereby appropriated shall be paid in installments regularly, as is done in the case of charitable institutions maintained by the State of Kentucky, upon the filing of due proof of facts in accordance with the forms and regulations which may be prescribed by the Kentucky Board of Tuberculosis Commissioners, or its successors.

§ 5. No part of the appropriation herein made shall be paid to any public or private sanatorium or organization other than that established by a tuberculosis district, until the sanatorium or organization to which the payment is to be made shall have executed, by its proper officers, a bond to the Commonwealth of Kentucky, with good and sufficient security,

stipulating and providing that all of said money so paid to such sanatorium or organization shall be applied to the payment of the salary of the visiting nurse. There shall be attached to, as part of said bond, an attested copy of the articles of incorporation under which said sanatorium or organization is established and maintained, and further, a statement under oath, made by the chief officer and the treasurer of said sanatorium or organization, showing the actual amount of money expended by said sanitorium or organization as salary for the visiting nurse.

Said bond, articles of incorporation and statement under oath, and the approval of the Kentucky Board of Tuberculosis Commissioners or its successors, signed by its president and attested by its secretary under seal, shall be first submitted to the State Inspector and Examiner to examine into and verify the conditions embraced within said bond and statement. And when he shall have approved same, and further shall have ascertained that said sanitorum or organization is not being operated for profit, he shall certify such examination and approval to the Auditor of Public Accounts.

§ 6. Any county, tuberculosis district, sanitorium or other organization availing itself of this act shall make an annual report to the Auditor of Public Accounts, showing when, where and in what manner the money received by such county, tuberculosis district, sanatorium or organization under this act has been applied and disbursed, and such report shall be subscribed by and sworn to by the chief officer of the sanatorium or organization, or by the county judge of the county, or by the chairman of the board of trustees of the tuberculosis district.

§ 7. Any county, tuberculosis district, sanatorium or other organization receiving any of the benefits of this act shall at all reasonable times keep open for the inspection of the State Inspector and Examiner its records and books of accounts, and the Kentucky Board of Tuberculosis Commission-

ers or its duly authorized representative or the successors of the Kentucky Board of Tuberculosis Commissioners, or their duly authorized representative shall each year visit such county, tuberculosis district, sanatorium or organization for the purpose of ascertaining whether or not such county, tuberculosis district, sanatorium or organization is observing the provisions of this act.

§ 8. That it shall be the duty of any county, tuberculosis district, sanatorium or other organization receiving any of the benefits of this act, when requested by the State Board of Health in times of war or emergency, to require such nurse as may be employed under the provisions of this act to perform the duties imposed herein, under the rules and regulations of the State Board of Health, and it shall be the duty of such nurse to perform such duties as may be required by the State Board of Health, under its supervision and direction, and in the event such county, tuberculosis district, sanatorium or other organization receiving any of the benefits of this act, shall fail or refuse to require such nurse to perform the duties herein imposed, the benefits of this act shall be withdrawn for not less than one nor more than two years, in the discretion of said board, and if such nurse fails or refuses, except in case of severe illness or disability, to perform the duties herein imposed, she shall be suspended without salary for three months. Provided, that in any period of twelve months the State Board of Health shall not require more than twenty days' service for such war or emergency work.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	Lark Garnett	S. Lee McGohan
L. D. Baldauf	W. H. Hager	H. C. McLellen
J. H. Ballard	L. B. Hamilton	W. B. O'Bannon
A. L. Baldwin	E. C. Hardin	A. J. Oliver
Robert Bays	B. H. Harris	T. P. Oliver
W. T. Beckham	David J. Howard	W. F. Paris
H. V. Bell	Joe Huddleston	Luther Pieratt
Leroy Bonta	A. R. Hudson	Ote Piper
J. L. Bradford	Chas. L. Hunter	H. C. Rice
O. V. Brown	Leslie P. Jones	Lewis Ryans
R. J. Cain	W. H. Jones	Joe Schneider
T. L. Caudel	W. F. Klair	R. T. Smith
H. C. Chappell	H. A. Knollmann	Thomas Spurrier
Everett Cobb	Joseph Lazarus	Ben Street
John Cook	M. E. Lee	John W. Swope
Fred Cornelius	J. E. Lilly	Claude M. Thomas
James S. Cruse	H. J. Meyers	Elmore Thomas
A. A. Demunbrun	Claude D. Minor	G. F. Thompson
Harry Dill	S. H. Moore	J. T. Thornton
H. L. Dixon	John T. Murphy	J. Wood Vance
W. G. Dycus	Ryland C. Musick	G. C. Waggoner
F. A. Easterling	W. P. McDonogh	T. R. Welch
I. H. Gabbard	H. C. McGehee	E. G. Young

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There voted in the negative—

J. W. Johnson —1

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 306. An act to amend and re-enact section 7 of chapter 7 of the Acts of the Extraordinary Session of 1917, relating to reports for corporation license tax.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 7 of chapter 7 of the Acts of the Extraordinary Session of 1917 be amended and re-enacted so it will read as follows:

Domestic corporations, and foreign corporations owning property or transacting business in this state, shall make such report to the tax commision in a manner provided in this section on or before February first succeeding their incorporation, or succeeding their becoming the owner of property or transacting business in this state; and shall make such report on or before said date annually thereafter. And except as provided in section 6 such corporation shall pay the annual license tax at the rate and in proportion provided in section 3, and in all respects be subject to the provisions and penalties in this section contained and prescribed, but the State Tax Commission may, for good cause shown, extend the time for filing said report for a period not longer than thirty days.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	A. L. Hamilton	H. C. McGehee
B. S. Bailey	L. B. Hamilton	S. Lee McGohan
L. D. Baldauf	E. C. Hardin	H. C. McLellen
J. H. Ballard	B. H. Harris	W. B. O'Bannon
A. L. Baldwin	David J. Howard	T. P. Oliver
Robert Bays	A. R. Hudson	Lilburn Phelps
W. T. Beckham	Chas. L. Hunter	Luther Pieratt
H. V. Bell	J. W. Johnson	Ote Piper
Leroy Bonta	Leslie P. Jones	H. C. Rice
J. L. Bradford	W. H. Jones	Lewis Ryans
R. J. Cain	Griffin Kelly	Avery Sartin
T. L. Caudel	W. F. Klair	Claude B. Smith
H. C. Chappell	H. A. Knollmann	R. T. Smith
Everett Cobb	S. D. Laughlin	Thomas Spurrier
John Cook	Joseph Lazarus	Ben Street
Fred Cornelius	M. E. Lee	John W. Swope
James S. Cruse	J. E. Lilly	Claude M. Thomas
J. C. Davis	H. J. Meyers	G. F. Thompson
A. A. Demunbrun	Clarence Miller	J. T. Thornton
H. L. Dixon	Claude D. Minor	J. Wood Vance
W. G. Dycus	S. H. Moore	F. C. VanHoose
F. A. Easterling	John T. Murphy	G. C. Waggoner
I. H. Gabbard	Ryland C. Musick	
W. H. Hager	W. P. McDonogh	—70

There voted in the negative—

T. J. Smith —1

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 261. An act to amend and re-enact section 4535h and subsections thereof of the Kentucky Statutes, Carroll's edition of 1915, being chapter 47 of the Acts of the General Assembly of 1912, approved March 12th, 1912, and entitled an act qualifying and enabling women to vote for the election of school trustees and other school officers chosen by the people, except such officers as women may be disqualified from voting for by the Constitution, and upon school measures or questions submitted to a vote of the people and to hold common school offices, except such offices as women are disqualified from holding by the Constitution.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 4535 and subsections thereof, of the Kentucky Statutes, Carroll's edition of 1915, being chapter 47 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1912, approved March 12th, 1912, and entitled: "An act qualifying and enabling women to vote for the election of school trustees and other school officers chosen by the people, except such officers as women may be disqualified from voting for by the Constitution, and upon school measures and questions submitted to a vote of the people and to hold common school offices, except such offices as women are disqualified from holding by the Constitution," be, and the same is, hereby amended and re-enacted so as to read as follows:

Section 1. That all women possessing the legal qualifications required of male voters in any common school election, and who in addition are able to read and write, shall be qualified and entitled to vote at all primary and regular elections of school trustees and other school officers required to be elected by the people, and upon all school measures or ques-

tions submitted to a vote of the people, and all women possessing the legal qualifications required as to males shall be eligible to hold any school office or office pertaining to the mangement of schools. Provided, however, that this act shall not apply to any election the qualifications of the voters at which are otherwise prescribed by the Constitution nor to any office as to which the Constitution otherwise prescribes the qualifications of the persons eligible thereto.

Section 2. In all places where a registration of the qualified voters is now or may hereafter be required, women who are, by this act, qualified to vote, shall be registered at the same time and place and by the same officers and in the same manner as male voters, except as herein provided; their registration, however, being made in a separate book to be furnished by the county clerk as is prescribed by law in the case of male voters. And all the provisions of law relating to the registration o fmale voters are hereby made applicable to the registration of women qualified to vote by this act; provided, however, that women shall not be required to declare any party affiliation nor shall any record be kept of any party affiliation.

Section 3. When the elections referred to in section 1 of this act are held on the same day with the state, county or city elections, separate ballots, similar to those required in other elections, except that in primary elections, they shall not have printed thereon any party device and shall contain only the names of all the candidates for nomination without indicating the party affiliation of any of said candidates, but no such ballot shall be counted if voted for more than one candidate, and except further that the ballot at regular elections shall not have printed thereon any party device, and shall contain only the names of candidates for school officers or questions relating to schools, shall be provided for women voters qualified under this act; otherwise the elections shall

be held according to the provisions of the general election law.

Section 4. All laws or parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	A. R. Hudson	A. J. Oliver
B. S. Bailey	Chas. L. Hunter	T. P. Oliver
L. D. Baldauf	J. W. Johnson	W. F. Paris
Leroy Bonta	W. H. Jones	Lilburn Phelps
R. J. Cain	Griffin Kelly	Luther Pieratt
T. L. Caudel	W. F. Klair	Ote Piper
James S. Cruse	H. A. Knollmann	H. C. Rice
J. C. Davis	Joseph Lazarus	Lewis Ryans
A. A. Demunbrun	M. E. Lee	Avery Sartin
H. L. Dixon	J. E. Lilly	Joe Schneider
W. G. Dycus	Harry J. Meyers	Claude B. Smith
F. A. Easterling	Claude D. Minor	R. T. Smith
I. H. Gabbard	S. H. Moore	T. J. Smith
Lark Garnett	John T. Murphy	Ben Street
W. H. Hager	Ryland C. Musick	John W. Swope
A. L. Hamilton	A. J. McCandless	Claude M. Thomas
L. B. Hamilton	H. C. McGehee	Elmore Thomas
E. C. Hardin	S. Lee McGohan	G. F. Thompson
B. H. Harris	H C. McLellen	J. T. Thornton
David J. Howard	W. B. O'Bannon	J. Wood Vance

F. C. VanHoose T. R. Welch G. F. Walthal
E. G. Young —64

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 191. An act to provide for the commitment, care, treatment, training, segregation and custody of feeble-minded, epileptic and insane persons; to provide an appropriation therefor and to repeal all acts inconsistent herewith, and specifically sections 264 to 271, inclusive, of the Kentucky Statutes, Carroll's edition, 1915, which concern the Kentucky Institute for the Feeble-Minded Children, and sections 2156 to 2171, inclusive, of the Kentucky Statutes, Carroll's edition, 1915, which concern idiots and lunatics, and provide penalties for the violation of this act.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Definitions.—The term "feeble-minded person" means a person with a defect in mental development, which is due to causes operating at birth, or at an early age, and which is of such a degree that he is incapable therefrom of caring for himself or managing his affairs and requires supervision, care, training, control or custody for his own welfare or for the welfare of others or to the community.

The term "epileptic person" means a person who has epileptic attacks and is known to be losing his mental capacity as a result of these attacks, and is so distinctly enfeebled that he needs care and custody for his own welfare, or for the welfare of others, or of the community.

The term "Board of Control" means the State Board of Control of Charitable Institutions.

The farm provided for by this act shall be known as "The Farm Colony for the Feeble-Minded," and the present institution in Frankfort for the feeble-minded shall be known as "The Training School for the Feeble-Minded," and the colony and training school shall be known collectively as "The State Institution for the Feeble-Minded."

§ 2. Home and Farm Colony for Feeble-Minded.—There shall be established and maintained a training school for feeble-minded and epileptic persons. There shall also be established and maintained a farm colony for the feeble-minded and epileptic persons to be located on land suitable, or which may be made suitable for farming, stock raising and fruit growing, and equipped with dormitories and other buildings sufficient to accommodate at least five hundred inmates, the farm colony to be conducted as a part of the training school and under the general supervision of the superintendent with the approval of the Board of Control. The farm colony shall be located in the same county or in a county adjoining that in which the training school is located.

§ 3 Objects and Purposes.—The object and purpose of said state institutions for feeble-minded and epileptic persons shall be the mental and physical training, the treatment and custody of feeble-minded and epileptic persons, the promotion of their happiness and well-being and the study of mental deficiency; and such institutions shall have all rights and powers which may be necessary and proper for carrying out the purpose for which they are established.

§ 4. Management of Institutions.—The Kentucky State Board of Control for Charitable Institutions shall have the management and control of the state institution for the feeble-minded and epileptic and shall appoint the superintendent for such institution.

§ 5. Superintendent—Qualifications.—The superintendent shall be an expert in the care and management of feeble-minded persons, shall be a graduate in medicine and shall have had at least two years' experience upon the medical staff of an institution devoted to the care and treatment of feeble-minded persons. Fitness for the service as superintendent of such institution shall be the only factor in his selection.

§ 6. Residence at Institution—Bond.—The superintendent shall reside at the institution and shall devote his entire time to the conduct of its affairs. Subject to the approval and direction of the State Board of Control, he shall have entire charge of the management and control of the property of the institution and the management, control and training of all the inmates of such institution. He shall give a bond to the state for the performance of his duty as superintendent of such institution in such sum and with such sureties as may be satisfactory to the board of control.

§ 7. Employment of Help.—The superintendent shall, subject to the approval of the board of control, employ two assistant superintendents, a principal teacher and such other officers and employes as he may deem proper and necessary for the efficient conduct of said institution. The board of control shall have power to designate their titles, fix their compensation and prescribe their duties, and all such appointees shall hold their office at the pleasure of the board. The first assistant shall be a competent physician and psychologist, who has had at least two years' experience in the care of the feeble-minded and who shall have full charge under the superintendent of the medical care and sanitation of

inmates and of the sanitation of the institution; shall examine all the present and future inmates and determine their fitness for training and for labor, and shall assist the superintendent with advice as to the reception of inmates. The second assistant shall be a competent farmer who has had experience in the supervision and employment of feeble-minded, and who shall have charge under the superintendent of the farm colony as herein provided for.

The principal shall be a trained educator with at least three years' experience in the control and education of the feeble-minded, and said principal may be either a man or woman. He shall have full charge of the educational and industrial employment of the inmates, excepting those on the farm colony, and the industrial work of the institution so far as it is performed by the inmates shall be under the supervision and approval of the superintendent. The purpose of the educational training of the inmates shall be at all times to promote their happiness and well-being and to render them capable of useful labor.

§ 8. Compensation of Superintendent. — The State Board of Control shall fix the compensation of the superintendent, whose salary shall be not more than four thousand dollars ($4,000.00) per year.

§ 9. Construction of Buildings—Plans and Material.— The superintendent, with the approval of the board of control, shall employ such architects and assistants as may be necessary in making the plans and constructing the buildings for said institution, and shall arrange for the purchase of building material; may make and let contracts for the construction of buildings, or may, where possible, employ any available harmless insane or feeble-minded from any of the institutions in such work; the work on said buildings to begin as soon as possible. Said new buildings shall be constructed upon the colony and cottage plan and shall provide for complete separation of the inmates according to color and sex,

and as far as practicable for the separation of the epileptics from the non-epileptics.

§ 10. Location and Size of Farm.—The farm colony shall be located upon a site duly selected by the State Board of Control and the superintendent, consisting of at least five hundred (500) acres and selected with due regard to the purposes for which it is intended; said farm to cost not in excess of fifty dollars ($50.00) per acre. But the board, in its discretion, may lease a farm with an option to purchase the same at a specified price.

§ 11. Examination and Report of Sites.—The University of Kentucky shall, at the request of the State Board of Control, examine and report on any and all sites which the board may wish to investigate so that the board may be fully advised as to the quality and character of the soil, water supply, sanitation and other agricultural and engineering problems. The said board and superintendent and said university shall be entitled to receive their necessary expenses in connection with said investigation, selection and purchase of said site or sites.

§ 12. Admitting to Institutions.—There shall be received into said state institution, subject to such rules and regulations as the board of control may adopt and pursuant to the provision of this act, feeble-minded and epileptic persons of not less than six years of age.

§ 13. Care, Custody and Training.—It shall be the duty of the superintendent of said institutions to provide such care and training for each inmate as may be necessary to render him more useful and happy and to make him as nearly self-supporting as his mental capacity may permit. The inmates of said institution may manufacture and produce for their use, or for the use of other state institutions, such articles, furniture, clothing, tools, products and other supplies and engage in such labor or work of construction as may be approved by the State Board of Control.

§ 14. Surplus Products.—The board of control shall make such disposition of any surplus products of the farm or other industry of the institution as they deem proper, and may use the same for the benefit of the patients of the state asylums for the insane, or otherwise in their discretion.

§ 15. Jurisdiction—Trial by Jury.—The circuit courts of the several counties of this state shall have exclusive jurisdiction in all cases coming within the terms and provisions of this act. When no circuit court is in session in the county, inquests of insane persons may be held by a judge of a circuit court, or by the presiding judge of the county court, but in no case shall an inquest upon an idiot be held except in the circuit court. In proceedings under this act the person alleged to be feeble-minded, epileptic or insane and appearing before the court, or any person interested in such person, shall have the right to demand for such alleged feeble-minded, epileptic or insane person a trial by jury, which shall be granted as in other cases, unless waived, or the court, on its own motion, may call a jury to try such case. The court, in its discretion, may conduct the trial or inquest in chambers.

§ 16. Proceedings, How Instituted.—Any reputable person being a resident of the county and having knowledge of a person in the county who appears to be either feeble-minded, epileptic or insane, who is not in a state or private institution for the care of such persons, may file with the clerk of the circuit court a petition in writing for the trial and commitment of such person and setting forth facts verified by affidavit. It shall be sufficient if the affidavit is upon information and belief. The petition shall set forth the name and residence of the parent or parents, if known, and of the husband or wife, if any, and the name and residence of the person having the custody, control and supervision of such person or if no such person is known to the petitioner, then of some near relative or that such is unknown to the petitioner, All persons named in said petition including the alleged

feeble-mined, epileptic or insane person, if of legal age, shall be notified of such proceedings as hereinafter provided.

§ 17. Examining Physicians—Certificate—When a petition for the trial and commitment of an alleged feeble-minded, epileptic or insane person has been properly filed with the clerk of the court, the court shall appoint two physicians to examine such person and to certify to the court as to their findings in the case. These physicians shall be selected where possible because they have made special study of feeble-mindedness and mental diseases and shall be entitled to a fee of $3.00 each for such examination and certificate, to be paid by the county in which the commitment is made, upon a certified copy of an order of allowance made by the circuit court holding the inquest. The certificate shall state that the person has been examined by each of the medical examiners making the certificate within three days prior to the date of the certificate and that in their judgment he is feeble-minded, epileptic or insane in the sense of this act, if such be the fact, and requires supervision, control and care for his own welfare or for the welfare of others or of the community, and it shall further state whether such supervision, control and care can best be provided by commitment to an institution for the feeble-minded and epileptic or for the insane, or by commitment to guardianship. The certificate shall be in the form prescribed by the State Board of Control, and shall state the facts and circumstances upon which the judgment of the medical examiners is based, and shall be sworn to before a notary or the clerk or judge of the court.

§ 18. Service of Summons—Notice.—Upon the filing of the petition a summons shall issue requiring the parent or parents, guardian or other person having the custody, control or supervision of such person or with whom such person may be, to appear with such person at a time and place to be stated in the summons, which time shall be not less than three (3) days after service. The parents of such person, if

living, if their residence be known to the petitioner, or the legal guardinan, if one there be, and his residence is known to the petitioner, or if there may be neither parent nor guardian whose residence is known to the petitioner, then some near relative, if his or her residence be known to the petitioner, shall be notified also of the procedings, and in any case the court shall appoint some member of the bar to represent and protect the interests and rights of the person alleged to be of unsound mind, and it shall also be the duty of the attorney for the Commonwealth to prevent the finding of any person to be of unsound mind who, in his opinion, is not such. If a person summoned as herein provided shall fail without reasonable cause to appear and abide by the order of the court, he may be proceeded against as in case of contempt of court. On the return of the summons or other process, or on the appearance of such alleged feeble-minded, epileptic or insane person with or without summons or other process in person before the court, together with the return of the service of notice, if there be any person notified, or upon the personal appearance or written consent to the proceedings of the person or persons, if any be notified, or as soon thereafter as may be, the court shall proceed to hear and dispose of the case. The court may, in its discretion, require other evidence in addition to the petition and the certificates of the examining physicians, and he may require the attendance at the hearing of said physicians and of any other witnesses. The alleged feeble-minded, epileptic or insane person or any one representing him, shall have the right to summon witnesses and to present evidence as in other cases made and provided.

§ 19. Presence of Persons Charged—When Dispensed With.—No inquest shall be held unless the person charged to be insane, feeble-minded or epileptic is in court; provided, however, that the personal presence of such person may be dispensed with when it shall appear by the oath or affidavit of two regular practicing physicians that they have personally

examined such person and that they verily believe that his condition is such that it would be unsafe to bring him into court.

§ 20. Necessary Orders—The judge who presides at such inquest may make all orders for the care of the person found to be feeble-minded, epileptic or insane or incompetent to manage his estate; and if it is found upon the inquest that such person has any estate, or it is for any other reason necessary, it shall be the duty of the court to make all necessary orders for the appointment of a committee and the security of the estate of such person. The court may order such person to an asylum for the insane, or to the instiution for the feeble-minded, as the facts may warrant; or the court may commit such person to a properly licensed private institution, or to a committee whom the court may find to be proper, able and competent to minister to the welfare of such person, except as otherwise provided in the next succeeding section.

§ 21. Pauper Imbeciles—Institutional Care.—From and after the date of the taking effect of this act and until January 1, 1921, every pauper imbecile or feeble-minded person over six years of age and being a male below the age of eighteen or a female below the age of forty-five, shall be committed to the institution for the feeble-minded, if there is room therein for him or her in a proper department thereof; and no such person shall be committed to the care of a committee to be placed on the pauper imbecile pension list, unless the superintendent shall first have notified the judge of the circuit court that there is no room for such person in the institution. After January 1, 1921, every pauper imbecile or feeble-minded person shall be committed to the institution for the feeble-minded if there be room therein in the proper department for such person. This section, however, shall not apply to pauper imbeciles who have heretofore been committed to a committee and placed on the pension list for the five year period, until the expiration of such period, unless such

committee shall voluntarily surrender such guardianship and request the court to commit such person to the institution for the feeble-minded, in which case the pension shall at once cease.

§ 22. When Pension May Be Paid for Pauper Imbeciles. —Except as otherwise provided in the preceding section, feeble-minded persons who are paupers and who in the opinion of the court, may be safely and properly kept by a committee within the county, may by order of the court, be committed to the custody of a committee or other person or instution. But no pension shall be granted for a period beyond January 1, 1921, upon any inquest held after the passage and taking effect of this act.

§ 23. Pauper Imbecile Defined—General Allowance—How Made.—A person is a pauper imbecile or feeble-minded person within the meaning of this act who has been found by the court to be feeble-minded and that he has no estate sufficient for his support and also that his parent, if alive, have not sufficient estate to maintain him; and if a wife, that her husband has not sufficient estate to support her; and that the is unable to work for her support. Upon the filing with the Auditor of a certificate setting forth such facts and other facts required to be found by this act, properly signed by the judge holding the inquest, the Auditor shall issue his warrant upon the treasury for the amount allowed by law. But no allowance shall be made for the maintenance of any person under the age of eight years, nor for one who is only at times by eplieptic fits or other malady enfeebled in mind, nor shall any warrant be issued by the Auditor until the committee for such person in charge has filed an affidavit stating what income, if any, has been received during the previous year from the labor of such pauper imbecile, and whether such pauper imbecile has been able to do any manual labor; and to what extent, if at all, the said pauper imbecile has been able to work for his support.

Any knowingly false statement in such affidavit shall subject the person making the same to prosecution for perjury.

The Auditor before issuing such warrant, shall submit to the Board of Control said affidavit and all other papers with reference to such claim; and it shall be the duty of the Board of Control to make an independent investigation of said commitment and of the financial and other condition of the person committed, and in its discretion the board may authorize the Auditor to deduct from said allowance the reasonable value of the work done, if any, or money or property received for or by said feeble-minded person, during the preceding twelve months; or in its discretion the board may request the committing court to hold another inquest before authorizing Auditor to issue his warrant. And upon the further inquest the board shall produce before the court such additional evidence as it may have bearing upon said case. No warrant shall be issued by the Auditor until authorized by the Board of Control, in accordance with the provisions of this section.

§ 24. History of Patient's Case to Be Prepared and Sent to Institution.—When a person shall be found feeble-minded or insane under the provisions of this act, the judge who presides at the inquest shall endeavor to ascertain and draw up a brief history of such person's case embracing the following points:

1. Age; occupation; married or single; habits; education. 2. What relations if any have been insane, feeble-minded or epileptic. 3. Date of first attack or symptoms; how exhibited; whether trouble has since changed in character. 4. Supposed cause; what illusions or hallucinations, if any; whether subject to fits, and if so, of what character or duration, natural temper and kind of affection toward relatives. Any attempt at suicide; what propensity to mischief, or violence, if any exhibited. 6. Periodical frenzy and lucid intervals and duration of each. 7. What restraint has been imposed

and what treatment used. 8. What injury, if any, about the head received; what bodily injury, defect or disease. 9. What estate, if any, the person has in possession, reversion or remainder, and what estate his parents, if any, have; and if a married woman, what estate her husband has; together with whatever else may be deemed material to enable the superintendent of an institution to understand the case. Said statement or a copy shall be sent with the record to the institution to which the person may be assigned.

§ 25. Notice of Commitment.—Upon the commitment of a feeble-minded or epileptic or insane person to an institution for the feeble-minded, epileptic or insane, a copy of the petition, the certificate of the physicians and the order of commitment, together with a written statement of the judge as to the financial condition of the feeble-minded, epileptic or insane person and of the persons legally liable for his support as far as such condition can be ascertained, and any other material facts found by the court upon the inquest shall be sent to the superintendent of such institution. The superintendent shall at once notify the judge whether or not a vacancy in the institution exists, and if a vacancy exists he shall immediately send a competent and suitable attendant, who shall bring the person to the institution. Each female committed to any institution shall be accompanied by a female attendant, unless accompanied by her father, brother, husband or son. The superintendent shall thereupon file certified copies of the papers in the office of the State Board of Control. If a vacancy does not exist the superintendent shall return the papers to the judge and thereupon without further proceedings the judge shall, unless otherwise specially provided by law, issue a supplementary order committing the feeble-minded, epileptic or insane person to guardianship until a vacancy exists in the institution. In such case the judge shall send to the superintendent a copy of the supplementary order of commitment to guardianship and shall send to the

State Board of Control a copy of the orginal order of commitment, the petition, the certificate of mental deficiency or epilepsy and his written statement. The superintendent shall notify the State Board of Control as soon as a vacancy exists in the institution, and thereupon the board may transfer to such institution the person so committed to guardianship. If such person has been placed on the pension list, the pension shall cease or be prorated upon the transfer of such person to such institution.

§ 2. Refusal to Receive.—The superintendent or person in charge of any institution for the feeble-minded or insane may refuse to receive any person upon an order of commitment, if the papers presented do not comply with the provisions of this act, or if in his judgment the person is not feble-minded or insane within the meaning of this act.

§ 27. Inquests to Be Held Every Third Year After the First Inquest—Before any order shall be granted by the court for the maintenance of a feeble-minded person out of his own estate or out of the State treasury, an inquest shall be held as provided by this act, said order to remain in force not longer than three years, when another inquest shall be necessary.

§ 28. Private Institutions License.—Any person, association or corporation having established at the time of the passage of this act, or then or later intending to establish an institution, home or school for the care, custody and treatment of feeble-minded, epileptic or insane persons for compensation, or hire, shall obtain a license therefor from the State Board of Control. Every application for such a license shall be accompanied by information and be in such form as the board may require. The board shall not grant any such license without first having made an examination of the premises proposed to be licensed and being satisfied that they are substantially as described and are otherwise fit and suitable for the purposes for which they are designed to be used and that such license should be granted. The board may at any

and all times examine and ascertain how far a licensed institution is conducted in compliance with the license therefor; and after due notice to the institution and an opportunity for it to be heard, the board having made a record of the proceedings upon such hearing may, if the interests of the patients in the institution so demand, for just and reasonable cause then appearing and to be stated in its order, amend or revoke any such license by an order to take effect within such time after the service thereof upon the licensees as the board shall determine.

§ 29. Institutional and Private Care—Transfers.—A feeble-minded, epileptic or insane person, unless it be otherwise specially provided by law, may be committed only to a State institution for the feeble-minded, epileptic or insane, to a private institution licensed by the Board of Control, or to the guardianship of a relative or other persons designated by the court. Any feeble-minded or epileptic person committed to a State institution and becoming insane may be transferred to a State hospital for the insane by the Board of Control, and any feeble-minded or epileptic person confined at a State hospital for the insane, and who is not insane, may be transferred by the Board of Control to the Institution for feeble-minded and epileptic persons.

§ 30. Duties of Health Officers.—It shall be one of the special duties of every health officer and of every public health nurse to institute proceedings to secure the proper segregation and custody of feeble-minded persons, likely to become fathers or mothers of other feeble-minded persons.

§ 31. Females in Poor Houses.—It shall be unlawful for any county poor farm, or poor house, or any home or institution providing primarily for poor or infirm persons to receive or permit to remain in its shelter a feeble-minded female under forty-five years of age, provided there is room in the institution for the feeble-minded for such persons, in

which case such person must be transferred to such institution.

§ 32. Aiding Marriage of Feeble-Minded.—It shall be unlawful to aid or abet the marriage of any feeble-minded person, and any person found guilty of aiding or abetting such marriage shall be fined not less than fifty dollars, nor more than five hundred dollars.

§ 33. Admissions for Compensation.—The State Board of Control may authorize the superintendent of any State institution for the feeble-minded and epileptic to admit thereto under a special agreement mentally defective persons who are residents of the State, other than poor or indigent persons, when there is room for such persons therein. But no person so admitted shall be permitted to occupy more than one room in any such institution. Such persons shall be subject to the general rules and regulations of the institution. The State Board of Control shall fix the rates to be charged for the maintenance of such persons, the payment of which shall be secured by a surety company bond approved by the board, or by other adequate security or by a deposit, and bills therefor shall be collected monthly. The superintendent may recommend to the board the removal of such persons to duly licensed private institutions, and the board shall have power in its discretion to compel such removal.

§ 34. Support of Inmates.—All poor or indigent feeble-minded or epileptic persons committed to the State institution for the feeble-minded and epileptic shall, while therein, be wholly supported by the State. The costs necessarily incurred in the transfer of such persons to such institution shall be a charge upon the State. The board shall have power to take all necessary steps to secure from relatives and friends who are liable therefor, or who may be willing to assume the cost of support of any person supported by the State, reimbursement, in whole or in part, of the money so expended. The board may fix the rate to be paid for the support of a person

by his committee or by relatives liable for such support or by those not liable for such support, but willing to assume the cost thereof; but such rate shall be sufficient where possible to cover a proper proportion of the cost of maintenance and of necessary repairs and improvements.

§ 35. Non-residents.—If an order be issued by any judge committing to a state institution for the feeble-minded, epileptic or insane a poor or indigent person who has not acquired a legal residence in this state, the State Board of Control shall return such mentally defective person, either before or after his admission to the institution, to the country or state to which he belongs, and for such purpose may expend so much of money appropriated for the care of feeble-minded and insane persons as may be necessary.

§ 36. Discharge of Inmates.—Whenever in the judgment of the superintendent of a state institution for the feeble-minded, epileptic or insane a person committed as a feeble-minded, epileptic or insane person is not feeble-minded, epileptic or insane, or the condition of an inmate has sufficiently improved so that his discharge will not be injurious to him or detrimental to the public welfare, the superintendent may, on filing his written certificate with the State Board of Control, discharge such person, unless the person is held upon an order in an action or proceeding arising out of a criminal offense, issued by a court having criminal jurisdiction; provided, however, that before making such certificate the superintendent shall satisfy himself by sufficient proof that friends or relatives of the person are willing and financially able to receive and properly care for such person after his discharge, if he is unable to care for himself. When the superintendent is unwilling to discharge a person upon request, and so certifies in writing, giving his reasons therefor, the judge of the county court in the county in which the institution is situated may, upon such certificate and an opportunity for a hearing thereon being accorded the superintend-

ent, and upon such other proofs as may be produced before him, direct, by order, the discharge of such person, upon such security to the people of the state as he may require, for the good behavior and maintenance of the person so discharged. The State Board of Control may, by order, discharge any inmate in its judgment improperly detained in any institution. A poor or indigent person discharged by the superintendent because he is not a feeble-minded or insane person, or because he is not a proper case for treatment within the meaning of this act, shall be returned to the county judge in the county from which he was committed. A person held upon an order of a court or judge having criminal jurisdiction, in an action or proceeding arising from a criminal offense, may be discharged upon the superintendent's certificate approved by the court which committed him.

§ 37. Discharge from Private Institution.—The superintendent or physician in charge of a licensed private institution, on filing his written certificate with the State Board of Control, may discharge any inmate whose discharge will not be detrimental to the public walfare, or injurious to the inmate. The superintendent or physician in charge of such institution may, subject to the approval of the board, refuse to discharge any inmate if, in his judgment, such discharge will be detrimental to the public welfare or injurious to the patient, and if the committee or relatives of such inmate refuse to provide properly for his care and treatment, the superintendent or physician in charge of such institution may apply to the board for the transfer of such inmate to a state institution for the mentally defective. The board of control is authorized to make transfers from private to state institutions or physician in charge of a licensed private institution may grant a parole to an inmate not exceeding six months, under general conditions prescribed by the board.

§ 38. Penalties for Violation.—Whoever shall bring or cause to be brought into any county or city of this Common-

wealth from any state or country any feeble-minded, epilptic or insane person with the intent to make him a charge upon this Commonwealth shall be fined $100 or imprisoned three months or both, and shall further be liable at the suit of the Commonwealth for all damages incurred thereby, including the cost of transportation, and any person who shall fraudulently secure any adjudication that a person is a pauper imbecile with the purpose of securing the pension provided by this act, or shall knowingly conspire or contrive to have one unlawfully adjudged feeble-minded or insane, shall be subject to like penalties and damages, and any person who shall otherwise violate any provision of this act shall be fined not exceeding $100 or imprisoned not exceeding three months or both.

§ 39. Clerk to Furnish List of Pauper Idiots.—The circuit clerk of each county shall transmit to the Auditor on or before the tenth of September in each year a list of the feeble-minded paupers in his county, and if he fails to do so without good cause he shall be fined fifty dollars.

§ 40. Appropriations.—There is hereby appropriated out of the state treasury from moneys not otherwise expended the sum of $25,000 for the year 1918, and $25,000 for the year 1919, to be expended in the purchase or rental of land for a farm colony for the feeble-minded, and in the erection of dormitories thereon, and in addition to the aforesaid appropriation and for the presently existing appropriations for the care and maintenance of the feeble-minded, there shall be paid to the board of control for the erection of additional dormitories and buildings the sum of $75.00 per year for each and every pauper, idiot or feeble-minded person hereafter committed, under the provisions of this act to said institution, the $75.00 to be in lieu of the like allowance now paid to the parents or committees of such persons, the said payments of $75.00, however, to cease on January 1, 1921.

§ 41. Invalidity.—The invalidity of any part or parts of this act shall not be construed to affect the validity of any other part capable of having practical operation and effect without the part or parts found to be invalid.

§ 42. Repeals.—Sections 264, 265, 266, 267, 268, 269, 270 and 271 of the Kentucky Statutes, Carroll's edition, 1915, which concern the Kentucky Institute for Feeble-Minded Children, and also sections 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167 2168, 2169, 2170 and 2171, of the Kentucky Statutes, Carroll's edition of 1915, which concern idiots and lunatics, are hereby repealed, and also all other acts or parts of acts inconsistent with this act, are hereby repealed.

Mr. Musick offered the following amendment to said bill, viz.:

Amend Senate Bill No. 191 by striking out the words "($4,000.00)," in line three, section 8, and substituting therefor the words "($3,000.00)."

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	B. S. Bailey	J. H. Ballard
Chas. Ashby	L. D. Baldauf	A. L. Baldwin

Robert Bays	E. C. Hardin	H. C. McLellen
W. T. Beckham	B. H. Harris	W. B. O'Bannon
H. V. Bell	A. R. Hudson	A. J. Oliver
Leroy Bonta	Chas. L. Hunter	T. P. Oliver
W. P. Bowman	J. W. Johnson	W. F. Paris
J. L. Bradford	Leslie P. Jones	Luther Pieratt
O. V. Brown	W. H. Jones	Ote. Piper
P J. Cain	Griffin Kelly	Richard Radcliffe
T. L. Caudel	W. F. Klair	H. C. Rice
H. C. Chappell	H. A. Knollmann	Lewis Ryans
Everett Cobb	W. T. Lasley	Joe Schneider
John Cook	S. D. Laughlin	R. T. Smith
Fred Cornelius	Joseph Lazarus	Thomas Spurrier
W. P. Cropper	M. E. Lee	Ben Street
James S. Cruse	J. E. Lilly	John W. Swope
A. A. Demunbrun	Clarence Miller	Claude M. Thomas
Harry Dill	Claude D. Minor	J. T. Thornton
W. G. Dycus	S. H. Moore	J. Wood Vance
F. A. Easterling	John T. Murphy	F. C. VanHoose
I H. Gabbard	Ryland C. Musick	G. C. Waggoner
Lark Garnett	A. J. McCandless	G. F. Walthal
M. E. Gilbert	W. P. McDonogh	T. R. Welch
W. H. Hager	H. C. McGehee	W. N. Winn
A. L. Hamilton	S. Lee McGohan	—77

Those who voted in the negative were—

J. C. Davis	Avery Sartin	G. F. Thompson
H. L. Dixon	T. J. Smith	S. G. Thornberry
L. B. Hamilton	Elmore Thomas	
Lilburn Phelps	J. B. Thomas	10

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 19. An act to amend and re-enact section 1456, 1457, 1459, 1462 and 1465, Kentucky Statutes, Carroll's edition 1915, relating to elections, subhead how conducted, declaring who is an "absent voter," permitting him to register, and to vote in all general elections, except for municipal officers, members of school board and trustees of common schools, and providing a method therefor, and fixing penalties for a violation thereof.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 1456 of the Kentucky Statutes (Carroll's edition 1915), be amended by striking therefrom (a) the word "sixty" wherever it appears therein and inserting in lieu thereof the words "seventy-five;" (b) the word "thirty" and inserting in lieu thereof the words "forty-five," and (c) the word "fifteen" and inserting in lieu thereof the word "forty-five," so that when said section is so amended it shall read as follows, viz.:

"Sec. 1456. Certificates and Petitions to be Filed Before Election.—Certificate and petitions of nomination filed with the Secretary of State shall be filed not more than seventy-five days, and not less than forty-five days, before the day fixed by law for the election of the person in nomination. Certificates and petitions of nomination herein directed to be filed with the clerk of a county shall be filled not more than seventy-five and not less than forty-five days before election."

§ 2. That section 1457 of said statutes be amended by striking therefrom the word "twenty" and inserting in

lieu thereof the word "forty," so that when said section is so amended, it shall read as follows, viz.:

"Sec. 1457. Secretary of State to Certify to County Clerks Names of Candidates—Vacancy in General Assembly. —Not less than forty days before the election of such officers as are required to file their certificate of nomination with the Secretary of State, said Secretary of State shall certify to the respective county court clerks of the various counties which are entitled under the law to participate in the election of the respective candidates, the name and place of residence of each candidate for each respective office, as specified in the certificates and petitions of nomination filed with him, and shall designate therein, subject to the provisions of this act the device under which the group or list of candidates, or candidate, of each party shall be printed, in the order in which they shall be arranged on the ballot. Provided, however, should a vacancy occur in the General Assembly and a writ of election issued to fill said vacancy, the petition or certificate of nomination may be filed ten days before the day of election, and if filed with the Secretary of State shall be immediately certified to the proper county county court clerks. No writ for the election of a member of the General Assembly shall be issued, except so as to enable the sheriff to give notice thereof, as now provided by law, at least fifteen days before the day of election."

§ 3. That section 1459 of said statutes be amended by striking therefrom the word "twenty" and inserting in lieu thereof the word "forty," so that when said section is so amended it shall read as follows, viz.:

"Sec. 1459. Public Measures—Constitutional Amendment—How Voted for.—Whenever a constitutional amendment or other public measure is proposed to be voted upon by the people, the substance of such amendment or other public measure shall be clearly indicated upon the ballot, and two spaces shall be left upon the right of the same, one for

votes favoring the amendment, or public measure, to be designated by the word "Yes," and one for votes opposing the amendment or measure, to be designated by the word "No." The elector shall designate his vote by a cross mark thus (X) placed opposite the word "Yes," or the word "No." (Whenever an amendment to the Constitution has been adopted by the General Assembly, the Secretary of State shall cause such proposed amendment to be published at least four times in two papers of general circulation, published in the State, and shall also cause to be published at the same time and in the same manner the fact that said constitutional amendment will be submitted to the voters for their acceptance or their rejection at the next general election at which members of the General Assembly are to be voted for. Such publication shall be made so that the last publications shall be at least ninety days preceding the election at which said amendment is to be voted on, as provided in sections 256 and 257 of the Constitution. It shall be the duty of the Secretary of State to certify not less than forty days before the next general election at which members of the General Assembly are to be chosen, to the county clerk of each county, the substance of any constitutional amendment which is to be voted on, and it shall be the duty of each county clerk to have the substance of such amendment, as certified by the Secretary of State, indicated on the ballot, as provided in this section. The votes cast for and against such constitutional amendments shall be counted and canvassed and certified to the State Canvassing Board in the same manner as the votes cast for any officer elective by the votes of the whole state. If it shall be found that a majority of the votes cast for and against said amendment are in favor thereof, then said amendment shall become a part of the Constitution. The result of such vote shall be published by the Secretary of State in two daily newspapers of general circulation, published in this Commonwealth. The expenses of the publications herein provided

for shall be paid as are the expenses of other publications which the Secretary of State is required to make in connection with elections)."

§ 4. That section 1462 of said statutes shall be amended by striking therefrom: (a) the word "thirty" and inserting in lieu thereof the words "forty-five," and (b) the word "ten" and inserting in lieu thereof the word "five," so that when said section is so amended it shall read as follows, viz.:

"Sec. 1462. Ballots, How Printed—Duties of Secretary of State and County Clerks—Penalties.—All ballots shall be printed on plain white paper, sufficiently thick that the printing cannot be distinguished from the back, which paper shall be of number one white book paper, and when 26 by 40 inches shall weigh 80 pounds to the ream, or if double cap 40 pounds to the ream, and, except in election of municipal office, shall be furnished to the county clerk by the Secretary of State, and it shall be the duty of the county clerk to notify the Secretary of State forty-five days before the day of election of the size and number of ballots which shall be necessary for said county, estimating fifty per cent more to the precinct than there were ballots cast at the last preceding state election, and the Secretary of State shall furnish the paper as herein provided within five days after said notification by the county court clerk. If upon any ticket there be no candidate or candidates for a designated office a blank space equal to the space that would be occupied by such name or names, if they were printed thereon, with the blank spaces herein provided for, shall be left. Should the Secretary of State fail or refuse to so furnish said paper for the ballots, he shall be guilty of a misdemeanor, and upon trial and conviction by indictment in the Franklin Circuit Court be fined not less than one thousand ($1,000.00) dollars and not more than five thousand ($5,000.00) dollars, in the discretion of the jury. Provided, that in the year 1900 the notice herein provided for to be given to the Secretary of State by the county court clerk

shall not be given, but immediately after the passage of this act and at least fifteen (15) days before the day of the next ensuing election, the Secretary of State shall furnish to the various county court clerks the paper upon which the ballots shall be printed, which shall not be of the quality as herein provided, and each county shall be furnished fifty per cent more ballots than were cast in the respective counties at the last preceding state election. Provided, however, that the clerks of the various counties of the state shall furnish the paper of the kind and weight as herein provided for the ballots, in the year nineteen hundred, if the Secretary of State does not furnish same twelve (12) days before the day of the next ensuing election. Said clerk shall be subject to the same penalties prescribed for failure to print on paper furnished by the Secretary of State, if he fails to have ballots printed on the kind and quality of paper as set out herein."

§ 5. That section 1465 of said statutes be amended by inserting after the word "distribution" and before the words "one book," the words "at least thirty days before any regular primary or regular election and at least two days before any other election," so that when said section is so amended it shall read as follows, viz:

"Sec. 1465. Ballots, Stubs and Other Utensils to be Furnished by Clerk. It shall be the duty of the county court clerk to cause to be printed, bound and ready for distribution at least thirty days before any regular primary or regular election and at least two days before any other election, one book of stubs and ballots for each voting precinct in his county, and shall furnish fifty per cent more ballots for each precinct than there were votes cast in said precinct at the last state or national election. He shall also have made for each voting precinct in the county one metal stamp at least one inch in diameter, which shall be known as the county election seal. It shall have upon it the word "election" straight across the center; the name of his county around the circle inside

the rim above the word "election," and the name of the precinct for which it is made around the circle inside the rim below the word "election," together with one stick of best sealing wax, such as is used by the United States government and by express companies for sealing packages containing money. He shall also have made for each precinct in his county one adjustable linen envelope sufficiently large to hold all the ballots that may be voted at such precinct, with a gummed seal on the back thereof, and a place on the point of the seal for the county election seal. He shall also have made one linen envelope for the purpose of holding the tally sheet, with a gummed seal on the back thereof, and a place on the point of the seal for the county election seal. He shall also have made one adjustable linen envelope sufficiently large to hold all the ballots of which there is any doubt or difference of opinion in the minds of the judges concerning their legality or regularity. He shall deliver said ballot book and ballots, together with the election seal for the different precincts and the two large and one small linen envelope for holding the ballots and tally sheet, and all necesary black ink stencils, sample ballots and cards of instruction as herein provided, to the clerks of such precincts and take their receipts for the same. One of such ink stencils shall be safely placed in the booth, the other preserved by the clerk, to be used in case any are lost, stolen or destroyed. Should any person steal or wilfully destroy either of said stencils, or any of the election supplies required to be furnished herewith, he shall, upon conviction, be fined not less than fifty dollars nor more than two hundred dollars, and be confined in the county jail not less than one nor more than six months."

§ 6. Absent Voter Defined.—For the purpose of this act the term "absent voter" shall mean any qualified elector or voter who is unavoidably, or who is by reason of his employment by the government of the United States or Commonwealth of Kentucky, or by reason of being a member of

the United States army or navy or of the Kentucky state guards is absent from the county in which is situate his voting precinct or ward on any general election day. Provided, that if such elector or voter comes within the purview of section 1486, Kentucky Statutes (Carroll's edition, 1915), he shall have registered pursuant to the registration laws of this state now in force, or in accord with the provisions of this act.

§ 7. Registration—"Absent Voter."—Any elector or voter who is required by section 1486, Kentucky Statutes (Carroll's edition, 1915), to register, and who is unavoidably or who is required by his regular business or occupation or his habitual duties to be and is absent from the county in which is situate his registering precinct or ward on any general registration day, may at any time not less than ten days before any general election day, register his name with the clerk of the county of his residence, who shall issue him a certificate permitting him to vote in the manner hereinafter provided in any general election held in this state prior to the next general registration day.

The elector or voter shall make a written application for such certificate to the clerk of the county of his residence. Such written application shall show the name, age, residence and voting precinct or ward of the applicant and that he is qualified to vote in such precinct or ward in all general elections that may be legally held therein, the name of the political party with which he affiliates, and that he was unavoidably or that his regular business or occupation or his habitual duties required him to be absent from his registration precinct or ward on the last general registration held in his said precinct or ward. Said application shall be signed by the applicant and sworn to by him before a civil officer authorized by law to administer an oath, provided that if such elector or voter is in the military or naval service of the Commonwealth of Kentucky or the United States, he may

swear to said application before any commissioned military or naval officer of the Commonwealth of Kentucky or the United States who is his superior.

The Secretary of State of Kentucky shall prepare, and within twenty days after this law goes into effect and thereafter upon demand and requisition made by the clerks of the counties of this state, deliver to them a book of registration certificates, prepared in accord with this section, and which shall be duplicated on a stub attached thereto; and the county court clerk, when he makes out a registration certificate for an elector or voter, shall duplicate it on such stub, and the stub book showing that said elector or voter has registered, shall in all cases be taken as a full, complete and sufficient registration for the purpose of voting under the provisions of this act; provided, however, that the right of such elector or voter to register may be inquired into under, and proceedings had thereon, and his right to register decided in pursuance of section 1501, Kentucky Statutes (Carroll's edition, 1915). And the clerk shall, before the registration books are delivered to the precinct or ward election officers of any general election, enter on the registration books of the respective precincts or wards of such electors or voters, the names of such electors or voters to whom he has given such certificates, following each name with the words "absent voter."

The registration applications herein provided for shall be preserved by the clerk until the next general registration day when they shall be burned by him in the presence of the judge and sheriff of his county.

§ 8. Right to Vote.—A qualified elector or voter who is required by section 1486, Kentucky Statutes (Carroll's edition, 1915) to register and who has registered pursuant to the provisions of section 7 of this act, and who is in the county wherein is situated his voting precinct or ward, on a general election day, may vote in such election by casting his vote in person and not otherwise. But an "absent voter" is

hereby vested with the power to exercise the right of suffrage and vote in all general elections held in his precinct or ward, provided he complies substantially with the provisions of this act.

§ 9. Application for Ballot.—An "absent voter" who desires to vote in any general election held in his residence precinct or ward, shall make, not more than sixty days before the day on which such general election is held, a written application to the clerk of the county of his residence, for an official ballot prepared for and to be voted at such general election. Such application shall give the address to which the ballot is to be mailed, and shall be accompanied by the postage necessary to be used in forwarding the ballot to the "absent voter" at such address.

The application shall be signed and sworn to by the "absent voter" before a civil officer authorized by law to administer an oath, provided that if such "absent voter" is in the military or naval service of the Commonwealth of Kentucky or the United States, he may swear to said application before any commissioned military or naval offcer of the Commonwealth of Kentucky or the United States, who is his superior. Said application shall be substantially in the following form:

State of.....

County of ..... Sct.

"I, ..., state that I am a resident of the state of Kentucky and have been such for at least one year prior to the date hereof. I am a resident of .....county, and have been such for more than six months prior to said date, and am a resident of.....precinct of said county (or.....ward of the city of..... county of .....) at least sixty days prior to said date; that I am a duly qualified voter of said precinct (or said ward); that I will be unavoidably, or my regular business or occupation or my habitual duties will require me

to be, absent from said precinct or ward on the general election to be held in said precinct or ward on the..... day of ....., 19....., and I will not vote elsewhere at said election.

"I enclose herewith $..... for return postage and call for an official ballot to be mailed to me at the following address:

.....

"Subscribed and sworn to before me this.....day of ....., 19.....

....."

(Official Title.)

§ 10. Ballot—When and How Forwarded.—The clerk of the county to whom such application is made shall, when he receives such application from an "absent voter" and after the official ballot has been completed and is printed, commence with ballot No. 1, of the respective residence precincts or wards of such "absent voters" and continue consecutively as to numbers until the names of all of such "absent voters" have been used, write the names and addresses of such "absent voters" on the stubs of such ballots and across such stubs the words "absent voter," at once send by registered mail, postage prepaid, to the address given by the "absent voter," the official ballot to be used for voting at the next general election held after the receipt of such application, which shall correspond in number with the stub on which such "absent voter's" name is written, together with two official envelopes for returning the ballot by the "absent voter" to him.

One of said envelopes shall be marked No. 1, and have written across it, "absent voter's ballot," and shall bear the address and official title of the clerk sending the same to the "absent voter," and which envelope shall be used by the "absent voter" as the outer envelope, and as in section 11 hereof directed. The other envelope shall be marked No. 2,

and on the face thereof the "absent voter" shall make and sign an affidavit, which shall be substantially in the following form, viz.:

State of .....

County of....., Sct.

I, ... state that I am a resident of the state of Kentucky and have been such for at least one year prior to the date hereof. I am a resident of..... ....county and have been such for more than six months prior to said date, and am a resident of ..... precinct of said county (or.....ward of the city of ....., county of.....) at least sixty days prior to said date; that I am a duly qualified voter of said precinct (or said ward); that I will be unavoidably, or my regular business or occupation or my habitual duties will require me to be absent from said precinct or ward on the general election to be held in said precinct or ward on the .....day of ....., 19....., and I will not vote elsewhere at said election.

.....

Subscribed and sworn to before me this.....day of ....., 19.....

.....

(Official Titlt.)

The fiscal courts of the counties of which the "absent voters" are residents shall make provisions to pay from the county funds the expenses incurred for stationery and printing necessary to carry into effect the provisions of this section.

§ 11. Preparation of Ballot by "Absent Voter."—When the "absent voter" receives such ballot and said two envelopes, he shall go before some civil officer authorized by law to administer an oath and before him make and subscribe to the affidavit on the face of envelope No. 2; and shall, in the presence of such officer and no one else, mark the ballot so as to

indicate the way he desires to vote, but in such manner as to prevent the officer from knowing how the ballot is marked or how he voted; he shall then and while in the presence of the officer fold the ballot in such way as to conceal the markings made thereon by him, and after the ballot has been so folded, he will enclose it in envelope No. 2, and seal said envelope and then enclose it in envelope No. 1, then seal and write his name across the face of that envelope, and at once affix the necessary postage thereto and mail it; provided that if such "absent voter" is in the military or naval service of the Commonwealth of Kentucky or the United States, he may do the things herein required to be done instead of before a civil officer, before any commissioned military or naval officer of the Commonwealth of Kentucky or the United States who is his superior.

§ 12. Ballots—Custody—Delivery to Election Officers. —When the county clerk receives an "absent voter's" ballot, he shall at once endorse on the envelopes Nos. 1 and 2, the day and hour he received the same, and all such ballots received by him before the day on which a general election is held at which said ballot is to be voted, shall be transmitted by him with envelope No. 2 unopened to the general election officers of the precinct or ward in which said "absent voter" is an elector at the same time the poll books and ballots for such election are delivered to them, and all such ballots received by him on or after such general election day, shall be kept by him unopened until thirty days after such election, when the same shall, without being opened, be burned by the clerk in the presence of the judge and sheriff of his county.

§ 13. Ballots—When and How Voted. The election officers of any general election shall, while the polls are open, examine such "absent voter's" ballots as have been delivered to them. If, upon such examination, it is found that envelopes Nos. 1 and 2 are regular and in form and condition provided by this act, and that envelope No. 2 has not been

opened but is properly sealed and the affidavit on the face thereof is regular and in the form provided by this act, the clerk of such election shall read aloud the name of such "absent voter" and after so doing he shall then open envelope No. 2 and remove the ballot therefrom without unfolding it, and in such way as not to expose the markings thereon or how the "absent voter" has voted. He will then write his name on the back thereof and after so doing place said ballot in the regular ballot box, and shall write on the ballot stub on which the name of such "absent voter" has been written by the clerk, the word "voted." The two envelopes shall be preserved by the election officers and treated in the same way as cast ballots, provided that when the name of the "absent voter" is read aloud by the clerk the vote of such "absent voter" may be challenged and the challenge thereto may be determined and the vote accepted or rejected by the officers of the election as though the voter were present and voting in person. Provided, however, that if such envelopes Nos. 1 and 2 and the affidavit on the face of envelope No. 2 are regular, and substantially comply with the provisions of this act, they shall be considered as showing that the "absent voter" is prima facie entitled to vote, provided that if the vote of an "absent voter" is rejected, the clerk shall write on the ballot stub on which the name of such "absent voter" has been written by the county clerk, the word "rejected."

§ 14. Election Returns.—The officers of a general election shall, in their election returns state the number of ballots shown by the stubs to have been sent by the county clerk to the "absent voters," the number of such ballots voted and the number thereof rejected.

§ 15. Commissioned Officers Empowered to Administer Oaths and Affirmation.—All commissioned military or naval officers of the Commonwealth of Kentucky or the United States are hereby authorized and empowered to administer oaths and affirmations for the purposes specified in this

act; and to every such oath or affirmation administered by them they shall subscribe their names and attach their official designations.

§ 16. False Registration Application—Affidavit—Penalty.—Any person who willfully and knowingly makes a false application for the purpose of registering under the provisions of this act, or a false affidavit for the purpose of voting under the provisions thereof, when the same is either sworn to or affirmed by him, shall be guilty of a felony, and upon conviction shall be confined in the penitentiary not less than one nor more than five years.

§ 17. Failure to Comply With Official Duties—Penalty.—Any county clerk or any election officer who shall willfully refuse or neglect to perform and do any of the duties required of him by this act, or who shall in any manner willfully violate or abuse any trust or duty imposed on him by this act, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than one hundred dollars nor more than one thousand dollars.

§ 18. Unlawful Interference With Right of Voter—Penalty.—Any person who shall, by menace, bribery, corrupt or arbitrary measure, offer or payment of reward, threat or infliction of punishment, interfere with any qualified voter or elector, in the free exercise of his right to register or vote under the provisions of this act, shall be guilty of a misdemeanor and upon conviction be fined not less than one hundred dollars nor more than one thousand dollars.

§ 19. Jurisdiction—Prosecution.—Jurisdiction of any prosecution for a violation of any provision of this act, wherever the violation occurred, whether within or without this State is hereby vested in the circuit court of the county to the clerk of which the applicant for registration or for a ballot was made.

§ 20. Inconsistent and Conflicting Laws—Repeal.—All laws or parts of laws inconsistent or in conflict with the pro-

visions of this act, are hereby, to the extent of such inconsistency or conflict, repealed. But the provisions of this act shall not apply to elections for municipal officers, members of school boards or trustes of common schools.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Ed. L. Allen	F. A. Easterling	J. E. Lilly
Chas. Ashby	I. H. Gabbard	Claude D. Minor
B. S. Bailey	Lark Garnett	S. H. Moore
L. D. Baldauf	M. E. Gilbert	John T. Murphy
J. H. Ballard	J. S. Hall	Ryland C. Musick
A. L. Baldwin	A. L. Hamilton	H. C. McGehee
Robert Bays	L. B. Hamilton	S. Lee McGohan
Leroy Bonta	E. C. Hardin	W. B. O'Bannon
W. P. Bowman	B. H. Harris	W. F. Paris
O. V. Brown	David J. Howard	Lilburn Phelps
R. J. Cain	A. R. Hudson	Luther Pieratt
H. C. Chappell	Chas. L. Hunter	H. C. Rice
Everett Cobb	J. W. Johnson	Lewis Ryans
John Cook	Leslie P. Jones	Avery Sartin
Fred Cornelius	W. H. Jones	Joe Schneider
W. P. Cropper	Griffin Kelly	Claude B. Smith
James S. Cruse	W. F. Klair	T. J. Smith
J. C. Davis	H. A. Knollman	Thomas Spurrier
A. A. Demunbrun	W. T. Lasley	Ben Street
H. L. Dixon	S. D. Laughlin	John W. Swope
W. G. Dycus	Joseph Lazarus	C. M. Thomas

Elmore Thomas	S. G. Thornberry	G. Frank Walthal
J. B. Thomas	J. Wood Vance	T. R. Welch
G. F. Thompson	F. C. VanHoose	W. N. Winn
J. T. Thornton	Geo. C. Waggoner	E. G. Young

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Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 239. An act entitled An act to repeal and re-enact subsection 4 of section 2739, Kentucky Statutes, Carroll's edition of 1915, relating to motor vehicles.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That subsection 4 of section 2739 of Kentucky Statutes (Carroll's edition of 1915) relating to motor vehicles be and the same is hereby repealed and that the following is enacted in lieu thereof, viz:

4. Lamps. Every motor vehicle, when stationary, standing or at rest while on any public alley, street or highway shall carry, during the period one hour after sunset to one hour before sunrise and at such other times as atmospheric conditions render the operation of such vehicles on such alleys, streets or highways without reasonable illumination, dangerous to traffic; motorcycles at least one (1) and all other motor vehicles at least two (2) lighted lamps showing white or tinted, other than red, lights visible at least two hundred (200) feet in the direction such cycle or vehicle is headed and at least ten (10) feet to both sides thereof.

Every motor vehicle and every vehicle that is trailed or towed by a motor vehicle shall, while operated or when stationary, standing or at rest, on any public alley, street or highway, during the period above mentioned, carry at least one (1) lighted lamp showing a red light visible from the rear and which throws a white light of sufficient force on the rear license or registration marker as to render the numerals thereon visible and decipherable for at least fifty (50) feet from the rear of said vehicle.

Every motor vehicle while being operated on any public alley, street or highway shall carry, during the period above mentioned; motorcycles at least one (1) and all other motor vehicles at least two (2) lighted lamps showing white or tinted, other than red, lights of sufficient force to clearly reveal, under ordinary atmospheric conditions, substantial objects for a distance of at least two hundred (200) feet ahead of said vehicle. Provided, that all lights of a greater strength than four (4) candle power which are equipped with a reflector shall be so designed, arranged or deflected as to prevent any portion of the main shaft or beam of clear condensed light at any point within a distance of seventy-five (75) feet of such vehicle to rise more than forty-two (42) inches above the surface on which said vehicle rests.

Spot-lights are prohibited from being used on any public alley, street or highway unless for emergency in locating or reading road signs, street numbers or similar temporary use unless when projecting rays of light directly upon the ground and at a distance not exceeding thirty (30) feet in front of said vhicle.

4a. Mufflers. Every motor vehicle propelled by an internal combustion engine shall be equipped with an adequate muffler or silencer or other device to reduce to a minimum the noise of the exhaust from such engine. Such muffler, silencer or other device shall not at any time be cut out; and no person operating a motor vehicle shall permit such muffler,

silencer or other device, or the pipes of the engine to emit sounds of exhaust in a loud and annoying manner, and all motor vehicles shall be operated in as noiseless a manner as possible.

If any persons shall violate any provision of this section he shall be fined not less than five ($5.00) dollars nor more than twenty-five ($25.00) dollars for each offense, provided that any person who shall extinguish all or any of the lights required herein for the purpose of avoiding identification or arrest, shall be fined not less than twenty-five ($25.00) dollars nor more than one hundred ($100.00) dollars.

No subdivision of the Commonwealth can alter, change or add to the provisions of this section and all laws, parts of laws and municipal ordinances inconsistent and in conflict herewith are, to the extent of such inconsistence or conflict, hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Ed. L. Allen	W. P. Bowman	J. C. Davis
Chas. Ashby	J. L. Bradford	A. A. Demunbrun
B. S. Bailey	R. J. Cain	W. G. Dycus
L. D. Baldauf	H. C. Chappell	J. M. Elliston
J. H. Ballard	Everett Cobb	I. H. Gabbard
A. L. Baldwin	Fred Cornelius	M. E. Gilbert
Robert Bays	W. P. Cropper	W. H. Hager
H. V. Bell	James S. Cruse	A. L. Hamilton

E. C. Hardin	A. J. McCandless	T. J. Smith
B. H. Harris	W. P. McDonogh	Ben Street
D. J. Howard	H. C. McGehee	John W. Swope
Joe Huddleston	S. Lee McGohan	Claude M. Thomas
J. W. Johnson	H. C. McLellen	J. B. Thomas
Leslie P. Jones	W. B. O'Bannon	G. F. Thompson
W. H. Jones	A. J. Oliver	J. T. Thornton
Griffin Kelly	W. F. Paris	J. Wood Vance
H. A. Knollman	Lilburn Phelps	F. C. VanHoose
S. D. Laughlin	Luther Pieratt	G. C. Waggoner
Joseph Lazarus	Richard Radcliffe	G. Frank Walthal
J. E. Lilly	H. C. Rice	T. R. Welch
S. H. Moore	Lewis Ryans	W. N. Winn
John T. Murphy	Joe Schneider	E. G. Young
Ryland C. Musick	R. T. Smith	

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Those who voted in the negative were—

John Cook	L. B. Hamilton	Claude B. Smith

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Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 132. An act amending sections 2, 51, 207, 121, and 212 of chapter 24, Acts of 1916, and subsection 31 of section 2978a, and subsection 34 of section 3235a, and sections 3470, 3588 and 3596, Kentucky Statutes, 1915, Carroll's edition, changing the age limit for school census enumeration, and amending section 46, chapter 24, of the Acts of 1916, relative to the qualifications of county superintendents, and repealing

section 50, chapter 24, Acts of 1916, fixing the salary of county superintendents, by repealing and amending and re-enacting same, and amending section 181, chapter 24, of the Acts of 1916, relative to the State Board of Education granting certificates to graduates of institutions of higher learning whether within or without the state, and repealing and re-enacting sections 78 and 87 of chapter 24, of the acts of 1915, relating to change in boundaries of sub-districts, and amending section 129 of chapter 24, of the Acts of 1916, relating to the amount of taxes counties may levy for local purposes; and that section 148 of chapter 24, Acts of 1916, relating to means of securing sites for graded schools and a new section relating to consolidation schools. Said chapter 24 of the Acts of 1916 was an act entitled: An act to repeal chapter 113 of the Kentucky Statutes, being sections 4363 to 4535h inclusive, except sections 4421a and 4421b, inclusive, and sections 4527 to 4535c inclusive, and re-enact the same chapter with the articles and sections corrected, rearranged, simplified and the repealing sections and parts of sections omitted and fixing the time of year at which text book adoptions shall be made.

Said bill reads as follows, viz:

An act amending sections 2, 51, 207, 121 and 212 of chapter 24, Acts of 1916, and sub-section 31 of section 2978a, and sub-section 34 of section 3235a, and sections 3470, 3588 and 3596, Kentucky Statutes, 1915, Carroll's edition, changing the age limit for school census enumeration and amending section 46, chapter 24, of the Acts of 1916, relative to the qualifications of county superintendents, and repealing section 50, chapter 24, Acts of 1916, fixing the salary of county superintendents, by repealing and amending and re-enacting same, and amending section 181, chapter 24, of the Acts of 1916, relative to the State Board of Education granting certificates to graduates of institutions of higher learning whether within or without the State, and repealing and re-enacting sections 78 and 87 of chapter 24, of the Acts of 1916, relating to

change in boundaries of sub-districts and amending section 129 of chapter 24 of of the Acts of 1916, relating to the amount of taxes counties may levy for local purposes; and that section 148 of chapter 24, Acts of 1916, relating to means of securing sites for graded schools and a new section relating to consolidation schools. Said chapter 24, of the Acts of 1916, was an act entitled, "An Act to repeal chapter 113 of the Kentucky Statutes, Carroll's edition of 1915, being sections 4363 to 4535h, inclusive, except sections 4421a and 4421b, inclusive, and sections 4527 to 4535c, inclusive, and re-enact the same chapter with the articles and sections corrected, rearranged, simplified and the repealing sections and parts of sections omitted and fixing the time of year at which text book adoption shall be made."

Whereas, chapter 113 of the Kentucky Statutes, Carroll's edition, 1915, the same being sections 4363 to 4535h, inclusive, relates to common schools; and,

Whereas, said chapter 113, of the statutes, consists of the Acts of July 6, 1893, with the amendments to the same, which act and amendments were based upon the fundamental fact that the local district was the unit of school administration and of the Act of March 24, 1908, with amendments to the same, which act and amendments are based on the fact that the county is the unit of school administration for many purposes; and,

Whereas, The act of March 24, 1908, with amendments thereto, have repealed some sections and parts of sections of the act of July 6, 1893, and its amendments; and,

Whereas, Much confusion has arisen in the administration of the school law throughout the State because of the uncertainty arising from the facts enumerated; and,

Whereas, It is impracticable to secure a decision of the Court of Appeals upon every one of the many questions arising in the effort to administer the schools under two sets of laws differing in their fundamental conception:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 2, chapter 24, of the Acts of 1916, be amended by striking out the word "twenty" after the words "between the ages of six and" and inserting in lieu thereof the word "eighteen;" and striking therefrom the words "who will obtain the consent of the trustees and teachers and pay the required tuition fees" after the words "that nothing herein shall prevent any person from attending the common school" and inserting in lieu thereof the words "of the district or sub-district in which he resides, and that said person shall not be required to contribute toward defraying the expenses or pay tuition fees." So that when said section is amended it will read as follows:

Common School Defined—Any Child May Attend—No school shall be deemed a "common-school," within the meaning of this chapter, or be entitled to any contribution out of the school fund, unless the same has been, pursuant hereto, actually kept or is under contract to be kept by a qualified teacher for six or more months in all sub-districts, during the same school year, and at which every child residing in the district, between the ages of six and eighteen years, has had the privilege of attending whether contributing towards defraying the expense or not: Provided, that nothing herein shall prevent any person over eighteen from attending the common school of the district or sub-district in which he resides, and that said person shall not be required to contribute toward defraying the expense or pay tuition fees.

That section 51, of chapter 24, acts of 1916, be amended by striking therefrom the word "twenty" after the words "between the age of six and" and inserting in lieu thereof the word "eighteen." So that when said section is amended it will read as follows:

Census Report of School Children—Notice of Change in District Boundaries.—It shall be the duty of each county su-

perintendent, on or before the first day of June, each year, to prepare, mail to, and cause to be placed in the hands of the Superintendent of Public Instruction a report, certified by the county judge or clerk, that the report is a correct statement as shown from the census on file in the office of the clerk of the county court, showing the whole number of children, between the ages of six and eighteen years, residing in his county, and the whole number residing in each subdistrict, including each city, and each independent district described by its number; and he shall be individually responsible to the county board of education by reason of any error made by said superintendent in reporting the census thereof.

He shall superintend the census taken during the month of April by the trustees, and not later than the twentieth of March of each year shall notify the trustee that the boundaries of the subdistrict are as recorded for the past year in the trustees' register; or, if any changes have been made, shall give to the trustee exact notice of such changes, and, in due time, see that the said changes are included in the description of the boundary entered in the trustees' register.

At the time of such notice he shall give the said trustees printed or written instructions for taking the census; caution him against reporting persons not legally belonging thereto, and calling his attention to section 94 of this act.

He shall base his report upon the census taken during the month of April, and reports thereof made to him by the subdistrict trustees and if such reports are not in from the subdistricts by the tenth of May, the county superintendent shall take, or have the census of such subdistrict taken, the cost of which shall be paid out of the county levy, and the fiscal court may recover from the delinquent trustee the amount so paid.

And that section 121, of chapter 24, of the Acts of 1916, be amended by striking therefrom the word "twenty" after the words "between the age of six and" and inserting in lieu

thereof the word "eighteen," so that when said section is amended it will read as follows:

Census of Children in District—Penalty for Fraud or Failure.—It shall be the duty of the trustee of each subdistrict, biennially, during the month of April, to take an exact census of all the children that reside in such subdistrict on the first day of April, who will be, on the first day of July following, between the ages of six and eighteen years, and on or before the first day of May report a list of the same to the county superintendent, and a duplicate list to the clerk of the county court, to be filed in his office, specifying the name, age, sex and names of the parents or guardians of each child, to be entered in a book furnished him by the state, and kept as a part of the records of his office. Should said trustees wilfully add to the list the names of persons not entitled to be placed on same, or otherwise knowingly make a false list, such person thus offending shall, in addition to being liable to punishment for the crime of false swearing, be subject to a fine of not less than fifty dollars; and should any other school officer be a party to such fraudulent lists, or in any way aid in the commission of such fraud, he shall be liable to the same punishment.

For a failure to take such census and report the same within the time and in the manner herein required, the trustee shall be liable to a fine of not less than twenty dollars; and said trustee shall not take the census of any children who have recently removed into the district and who have been previously reported in the census of the pupil children for the year in the district from which they have moved, or who had recently removed into the district from another state or county; but any pupil child who may not have been reported in the district in which he resides may attend the common school without payment.

This section shall be printed in the census blanks furnished by the Superintendent of Public Instruction.

That section 207, of chapter 24, Acts of 1916, be amended by striking therefrom the word "twenty" after the words, "between the ages of six and" and inserting in lieu thereof the word "eighteen" so that when said section is amended it will read as follows:

Census of Pupils—How and When Taken—Designation of Districts.—The number of colored children in each district, between the ages of six and eighteen years, shall be taken and reported at the same time and in the same manner as required by law for taking the census of white children. All colored districts shall be designated by letters in alphabetical order for each county, as District A, District B and so on.

That section 212 of chapter 24, Acts of 1916, be amended by striking therefrom the word, "twenty," after the words "a high school pupil reaches the age of," and inserting in lieu thereof the word "eighteen" and by adding the words "if any person who becomes eighteen years of age is not enrolled in a high school who is qualified to enter same" after the words "each consecutive year" and by striking therefrom the words, "said board shall also have the right to select the text books to be used in said high schools," so that when said section is amended it will read as follows:

Contract—Where Established—Classes—County Board—City Course of Study—Who May Attend.—Provided, however, that said contract tuition rate shall in no case exceed the rate charged for other pupils. Provided, further, that the county board of education shall be limited in their right to contract for high school instruction with a school under public supervision and control.

The first county high school to be established in the county shall be located at the county seat; provided there is not already existing in the county seat a high school of the required grade.

The county high schools of the Commonwealth shall be of the first, second and third classes.

A first-class high school shall maintain a four years' course of study, which shall be prepared by the State Board of Education. Such course of study may provide for instruction in manual training, domestic science and elementary agriculture.

High schools of the second class shall maintain a course of three years, identical with the first three years of the first-class school.

High schools of the third class shall maintain a course of two years, identical with the first two years of the first-class high school.

When county high schools shall be established, as provided in this act, it shall be the duty of the county board of education to employ and fix the salaries of said teachers necessary to the efficient conduct of said high school and prescribe the course of study to be pursued, but said course of study shall not be below the standard fixed by the State Board of Education.

If any person who has enrolled in the high school reaches the age of eighteen years and in good faith desires to continue said high school work each consecutive year, or if any person who becomes eighteen years of age is not enrolled in a high school who is qualified to enter same, it shall be and is hereby made the duty of the county board to permit said person to enter and continue said high school work under the same terms and conditions as before reaching the age limit for attending school, until said high school work has been completed.

That subsection 31, of section 2978a, Kentucky Statutes, Carroll's edition of 1915, relative to schools in cities of the first class, be amended by striking the word "twenty" therefrom, after the words "between the ages of six and" and inserting in lieu thereof the words "eighteen," so that when said section is amended it will read as follows:

Separate School for White and Colored Children.—The board shall provide, maintain and support separate schools wherein all colored children, who are bona fide residents of said city between the ages of six and eighteen years, may be taught in like manner as herein provided for white children. Said schools for colored children shall be entitled to the same benefits, be governed by the same rules and regulations, and be subject to the same restrictions as the schools herein provided for white children.

That subsection 34, of section 3235a, Kentucky Statutes, Carroll's edition of 1915, reative to schools of cities of the second class, be amended by striking therefrom the word "twenty" after the words "between the ages of six and" and inserting in lieu thereof the word "eighteen," so that when said section is amended, it will be read as follows:

Schools for Colored Children.—The Board of Education shall provide, maintain and support separates schools wherein all colored children, who are bona fide residents of said city, betwen the ages of six and eighteen years, may be taught in like manner as herein provided for white children. Said colored schools shall be entitled to the same benefits, be governed by the same rules and regulations, and be subject to the same restrictions as the schools herein provided for the white children. Provided any colored person over eighteen years of age shall have right to attend and receive instructions in such colored school.

That section 3470, Kentucky Statutes, 1915, Carroll's edition, be amended by striking therefrom the word "twenty" after the words "between six and" and inserting in lieu thereof the word "eighteen," so that when said section is amended it will read as follows:

Buildings, Teachers and Employes—Separation of White and Colored Children.—Said Board of Education shall provide and maintain, out of the funds levied or otherwise provided for the purpose, suitable buildings, teachers and

other employes, sufficient for the education of all children of the city between six and eighteen years of age, and shall provide separate buildings and schools for education of white and black pupils; and no white child shall be allowed to attend any colored school, nor shall any colored child be allowed to attend any white school.

That section 3588, Kentucky Statutes, 1915, Carroll's edition, be amended by striking therefrom the word "twenty" after the words "between the ages of six and" and inserting in lieu thereof the word "eighteen," so that when said section is amended it will read as follows:

System—Board of Education—Two Trustees Elected by Voters.—There may be maintained a system of public schools, at which all the children residing in the city between the ages of six and eighteen years may be taught at the public expense. Said school shall be under the control of a board to be styled "The Board of Education," consisting of two trustees from each ward in the city, to be elected at the general November election in one thousand eight hundred and ninety-three, by the qualified voters of the city at large. They shall meet and qualify on the first Monday in January after their election. The trustees so elected shall hold their offices, one-half for two years and one-half for four years, as shall be determined by lot at the first regular meeting after the election. And at the general election, every two years thereafter, there shall be elected by the qualified voters of the city at large one trustee from each ward in the city in which the term of his predecessor in office will then expire. Said trustee shall possess the same qualifications as are required for a councilman. Said board of education shall continue, and it is hereby declared a body-politic and corporate, under the name and style of board of education, with perpetual succession, and by that name may contract and be contracted with, sue and be sued, have and use a corporate seal, the same to renew or alter at pleasure; may purchase, receive, hold, lease,

sell and dispose of real and personal estate for public school purposes. The control and management of the public schools of the city and the property and funds thereunto belonging, shall be, and is hereby vested in said board, subject to the provisions of this law. It shall have power to make by-laws and rules, not in conflict herewith, necessary for the discharge of its duties and the government of its proceedings. It shall meet once in each month, or oftener if necessary, and a majority-elect of said board shall constitute a quorum for the transaction of business; and for the appropriation of money or the execution of a contract, the concurrence of two-thirds of the members-elect of said board shall be indispensable, and the yeas and nays shall be entered of record. The meetings of said board shall be held in some public place, and a correct record of its proceedings shall be kept in a book provided for that purpose, which shall be a public record.

That section 3596, Kentucky Statutes, 1915, Carroll's edition, be amended by striking out the word "twenty" after the words "of the city between six and" and inserting in lieu thereof the word "eighteen," so that when said section is amended it will read as follows:

Buildings and Teachers—Separate Schools for White and Black Pupils.—Said board of education shall provide and maintain, out of the funds levied or otherwise provided for the purpose, suitable buildings, teachers and other employes sufficient for the education of all children of the city between six and eighteen years of age, and shall provide separate buildings and schools for the education of white and colored pupils; and no white child shall be allowed to attend any colored school, nor shall any colored child be allowed to attend any white school.

§ 2. That section 129, of chapter 24, Acts of 1916, be amended by striking out the word "twenty" after the words "shall levy a tax for school purposes not to exceed," and inserting in lieu thereof the word "thirty," so that when said section is amended it will read as follows:

Tax May Be Levied by Fiscal Court—Collector—Treasurer.—It shall be the further duty of the County Board of Education to estimate and lay before the fiscal court of the county the educational needs of the county in accordance with such estimate, and said county shall levy a tax for school purposes not to exceed thirty cents on each hundred dollars of assessed valuation of property in the county, and a capitation tax, not exceeding one dollar, and the sheriff shall then collect this tax as other State and county taxes are collected; provided, no tax for school purposes shall be levied under this act upon property in cities and towns maintaining a first class system of public schools in which all grades are already taught to the satisfaction of the State Board of Education and upon property in legally established graded school districts now or hereafter established.

When the tax so levied shall have been collected by the sheriff of the county, he shall turn over to the county superintendent, who shall act as treasurer of the County Board of Education, the amount of money so levied and so collected, and the county board shall expend the money so received in the building, improvement, and equipment of the school houses, for the purchase and condemnation of necessary real estate, for the payment of teachers, purchasing necessary supplies and the extension of the school term in the various subdistricts throughout the county, as in their judgment as a county board the needs of the individual schools for white and colored pupils demand.

The county superintendent shall give such special bond as may be approved by the county court.

No fund shall be paid out except on the order of the county board, signed by the chairman and countersigned by the secretary.

That section 46, chapter 24, Acts of 1916, be amended by striking therefrom the words "or a certificate of qualification which shall in all respects be the equivalent of a State certificate issued by the State Board of Examiners, on a per-

sonal examination held at the State Capitol on the last Friday and Saturday in May and June next preceding the election of county Superintendent," after the words "expire during his proposed term of office," and inserting in lieu thereof the words, "a diploma granting the degree of Bachelor of Arts in Education or Bachelor of Science in Education or an advanced certificate issued by the University of Kentucky, or an advanced certificate issued by the Normal Schools, provided, any person holding the office of county superintendent shall be eligible to succeed himself without further examination." And striking therefrom the words: "The fee for such examination shall be five dollars and shall be divided among the members of the State Board of Examiners; the said certificate shall not entitle the holder thereof to teach in the common schools of the State" before the words "in counties embracing any city of the first class," and striking therefrom the words, "No person shall be eligible to hold office of county superintendent excepting such county superintendents as are now in office and such persons as have obtained a State diploma or State certificate issued by the State Board of Examiners, or a certificate as is herein provided for," after the words "of such county outside of such city or town," and inserting in lieu thereof the words, "provided, that this act shall not affect the county superintendent who are now in office, but shall apply to all county superintendents who take office either by appointment or election after this bill becomes a law," so that when said section is amended it will read as follows:

Qualification—Examination—Fees—Cities of the First Class.—There shall be a county superintendent of common schools in each county of the State, who shall be possessed of good moral character and ability to manage the common school interests of the county efficiently. He shall possess a good English education and shall be competent to examine the teachers who shall apply to teach the common schools in the county. He shall be twenty-four years old at the time of qualifying, a citizen of Kentucky, shall have resided two years

next preceding the election in this State, and one year in the county for which he is a candidate. No person shall be eligible to the office of county superintendent unless he shall hold from the State Board of Examiners a State diploma or a State certificate which will not expire during his proposed term of office; or a diploma granting the degree of Bachelor of Arts in Education or Bachelor of Science in Education or an advanced certificate issued by the University of Kentucky; or an advanced certificate issued by the State Normal Schools. Provided any person holding the office of county superintendent shall be eligible to succeed himself without further examination.

In the counties embracing any city of the first or second class and maintaining a system of public schools separate and distinct from the common schools of the county, no person shall be eligible to the office of county superintendent other than a resident of such county outside of such city or town. Provided, this act shall not affect the county superintendents who are now in office, but shall apply to all county superintendents who take office either by appointment or election after this bill becomes a law. That section 50, chapter 24, Acts of 1916, be and the same is hereby repealed and the following re-enacted in lieu thereof:

The salary of the county superintendent shall not be less than $600.00 nor more than $2,500.00 per annum. Said salary shall be paid monthly by the fiscal court out of the county levy, as it is now paid.

Before the fiscal court shall allow the salary, it shall be satisfied from the statement subscribed and sworn to by the superintendent, and from such other evidence as may be adduced, that he has faithfully and efficiently performed the duties of his office according to law.

In his report to the Superintendent of Public Instruction, the said superintendent shall state the full amount allowed him by the fiscal court for his official services.

Said salary shall be allowed the superintendent for all services rendered and expenses incurred by him under the

provisions of this law; and the fiscal court shall furnish the county superintendent with a suitable office free of charge, large enough to accommodate the county teachers' library and the assistants in his office.

And that section 181, of chapter 24, Acts of 1916, be amended by striking therefrom the word "students" after the words "grant certificates to the" and inserting in lieu thereof the word "graduates" and by striking therefrom the words "by the applicant" after the words "accomplished in said institution" and adding at the end of said section the words:

"The State Board of Education may grant certificates to teach in the high schools of the State to graduates of standard colleges of agriculture, either within or without the State, who have had one-tenth of their work in education, which certificate shall be valid for four years and renewable at the option of the State Board of Education. Applicants for this certificate may present a satisfactory equivalent for the requirements herein set forth." So that when said section is amended it will read as follows:

Higher Institutions in State or Out to be Recognized—Standard of Work.—The State Board of Education may, on the application of an institution of higher learning, whether within or without the State, that is not conducted for private gain, inspect such educational institutions, investigate their work, standards and courses of study, and in its own discretion, grant certificates to the graduates of such institutions, giving them the right to teach in the high schools of Kentucky. Such certificates shall be issued upon evidence furnished by the applicant for the work and attainments accomplished in said institutions. No such certificates shall be given for any work done in such institution of a lower amount or standard than that required for similar certificates issued by the State Board of Examiners, or granted to the students of the State University of Kentucky and the State Normal Schools of Kentucky.

The State Board of Education may grant certificates to teach in the high schools of the State to graduates of standard

colleges of agriculture either within or without the State who have had one-tenth of their work in education,which certificate shall be valid for four years and renewable at the option of the State Board of Education. Applicants for this certificate may present a satisfactory equivalent for the requirements herein set forth.

§ 3. That section 78, of chapter 24, Acts of 1916, be and the same is hereby repealed and the following enacted in lieu thereof:

The County Board of Education shall have full power when necessary to lay off or establish new school subdistricts or to change the boundaries of those already established: Provided, that no change in the boundary of any subdistrict shall be made to take effect during the current or the following school year, unless made previous to taking or estimating the census of the pupil children in the county for such school year.

That section 87, chapter 24, Acts of 1916, be and the same is hereby repealed and the following enacted in lieu thereof:

The school districts and subdistricts of the several counties, as at present described and numbered, shall be retained until altered or abolished pursuant to law; but no two subdistricts in the same county shall be known by the same name or number.

§ 4. That section 148 of chapter 24, Acts of 1916, be amended by adding after the word "district," at the end of said section the following:

Provided, that the board of trustees of any graded common school district may condemn any land deemed necessary by said board for a site for a graded common school, not, however, exceeding three acres, in the manner now provided by law for condemning land for railroad purposes, but this provision shall not apply to cities of the first, second, third and fourth classes.

§ 5. That in the event any graded common school and one or more subdistricts, or one or more subdistricts consolidate and vote or consolidate for the purpose of voting on any proposition for bonding or taxing purposes as is now, or may hereafter, be provided by law and said consolidation may be conditioned on the approval by the voters of such bond issue or tax levy, and if such proposition for taxing or bonding purposes fails to receive the requisite majority of votes then, in that event, said districts, by reason of said vote failing to receive the requisite majority shall remain and the boundaries thereof be and remain the same as before the consolidation, and all orders pertaining to said consolidation shall be null and void, but if said vote receives the requisite majority then said orders shall remain in full force and effect. And if the majority of the voters voting in any graded common school and one or more subdistricts are for the taxes or bonds proposed in said election, then said district shall become and be known as a consolidated district, and the County Board of Education shall assume all debts, if any, of said districts consolidated, and the title to all school property therein shall thereupon vote in the County Board of Education.

§ 6. As this bill changes the age of pupil children entitled to the common school fund and as the census of said children will be taken in the month of April, 1918, and in order to do justice to all counties and to the State, there is declared an emergency and this bill shall become in full force and effect from and after its passage and approval by the Governor.

Mr. Cobb moved that said bill be laid on the table.

Said motion was disagreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen
L. D. Baldauf
J. H. Ballard
A. L. Baldwin
W. T. Beckham
H. V. Bell
Leroy Bonta
W. P. Bowman
T. L. Caudel
H. C. Chappell
John Cook
A. S. Cooper
Fred Cornelius
James S. Cruse
J. C. Davis
A. A. Demunbrun
W. G. Dycus
F. A. Easterling
L. L. Embry
I. H. Gabbard
M. E. Gilbert
E. C. Hardin
B. H. Harris
Joe Huddleston
A. R. Hudson
Leslie P. Jones
W. F. Klair
H. A. Knollman
S. D. Laughlin
Joseph Lazarus
J. E. Lilly
Harry J. Meyers
Clarence Miller
Claude D. Minor
John T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
H. C. McGehee
W. B. O'Bannon
A. J. Oliver
T. P. Oliver
W. F. Paris
Lilburn Phelps
Ote Piper
Richard Radcliffe
Lewis Ryans
Avery Sartin
Joe Schneider
R. T. Smith
T. J. Smith
Ben Street
John W. Swope
Elmore Thomas
J. B. Thomas
G. F. Thompson
J. T. Thornton
J. Wood Vance
F. C. VanHoose
G. C. Waggoner
T. R. Welch

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Those who voted in the negative were—

B. S. Bailey
Robert Bays
Everett Cobb
W. P. Cropper
J. M. Elliston
L. B. Hamilton
J. W. Johnson
Griffin Kelly
S. H. Moore
Claude M. Thomas
S. G. Thornberry
W. F. Trusty

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Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 152. An act to appropriate money to be expended by the Board of Prison Commissioners for improvements in the cell houses at the state penitentiary, Eddyville, Ky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the sum of five thousand dollars ($5,000.00) is hereby appropriated for the purpose of erecting a new standpipe, intake pipe and the installation of automatic sprinkler system wherever necessary throughout the state penitentiary, Eddyville, Kentucky.

§ 2. This sum is hereby appropriated out of any money in the treasury not otherwise appropriated, and the Auditor of Public Accounts is authorized to draw his warrant in payment for this work upon the written order of the Board of Prison Commissioners, who shall contract for and supervise same.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	David J. Howard	S. Lee McGohan
L. D. Baldauf	Joe Huddleston	W. B. O'Bannon
A. L. Baldwin	A. R. Hudson	A. J. Oliver
Robert Bays	J. W. Johnson	T. P. Oliver
J. L. Bradford	Leslie P. Jones	W. F. Paris
O. V. Brown	W. H. Jones	H. C. Rice
H. C. Chappell	W. F. Klair	Lewis Ryans
Everett Cobb	H. A. Knollman	Joe Schneider
A. S. Cooper	Joseph Lazarus	Claude B. Smith
Fred Cornelius	M. E. Lee	R. T. Smith
W. P. Cropper	J. E. Lilly	Ben Street
James S. Cruse	Harry J. Meyers	Claude M. Thomas
J. C. Davis	Clarence Miller	J. B. Thomas
A. A. Demunbrun	Claude D. Minor	J. T. Thornton
H. L. Dixon	S. H. Moore	S. G. Thornberry
W. G. Dycus	John T. Murphy	W. F. Trusty
J. M. Elliston	Ryland C. Musick	F. C. VanHoose
I. H. Gabbard	A. J. McCandless	G. F. Walthal
L. B. Hamilton	W. P. McDonogh	T. R. Welch
E. C. Hardin	H. C. McGehee	—59

Those who voted in the negative were—

F. A. Easterling	W. T. Lasley	T. J. Smith
L. L. Embry	Ote Piper	Elmore Thomas
J. S. Hall	Richard Radcliffe	G. C. Waggoner
B. H. Harris	Avery Sartin	—11

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills originating in the House of the following titles, viz.:

H. B. 251. An act authorizing the fiscal court of counties containing a population of over 200,000 wherein there is located a city of the first class to contract with the board of trustees of the free public library of any such city for the purpose of granting to the residents and schools of such county the same privileges afforded by such library to residents and schools of said city and for the purpose of enabling the said fiscal court to appropriate a sum of money annually for the maintenance and support of such library payable out of the county levy funds in its hands.

H. B. 248. An act to amend and extend chapter 71 of the Acts of the General Assembly of Kentucky, approved March 21, 1902, entitled an act providing for the establishment and maintenance of free public libraries in cities of the first class, which is also section 2801b, subsection 3, of Kentucky Statutes, edition of 1915, and to authorize free public libraries of cities of the first class to mortgage property or to issue bonds thereon, and to authorize cities of the first class to guarantee the payment of any bonds issued by the said free public libraries either the principal or interest or both.

H. B. 460. An act providing for the appointment of a member of the State Tax Commission to succeed the Auditor of Public Accounts on said Commission.

H. B. 390. An act relating to exemptions of household goods and other personal property to a person with a family, and prescribing the duties of the county clerk in relation thereto, and fixing his compensation.

H. B. 461. An act to amend and re-enact section 4122, Kentucky Statutes, edition of 1915.

H. B. 349. An act relating to dogs, the promotion of live stock industries, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, providing for listing of dogs by county assessors and penalty for his failure to so list; providing for the assessment of damages done by dogs, and payment therefor by the proper county to the owners of live stock and poultry, and of damages to licensed dogs, imposing powers and duties on certain state and county officers and providing penalties and fees.

H. B. 384. An act to authorize the appointment of the commanding officer of Camp Zachary Taylor as one of three members of a General Zachary Taylor memorial commission who shall collect and expend the necessary funds to make the birth and burial place of General Zachary Taylor a lasting tribute to his memory.

A message was also received from the Senate announcing that they had adopted a resolution originating in that body of the following title, viz.:

S. Res. 28. Joint resolution authorizing the Governor to offer a reward for the arrest and conviction of persons who poisoned horses belonging to the United States government in transit to France.

To the Committee on Rules.

The Speaker laid before the House the following telegram, viz.:

"Camp Taylor, March 19, 1918.

Speaker House of Representatives, State of Kentucky, Frankfort, Kentucky.

I shall be glad to have the members of the House of Representatives visit Camp Zachary Taylor March 21st.

(Signed) HALE."

Mr. Klair moved that said invitation be accepted.

Said motion was agreed to.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

S. B. 1. An act for the benefit of the Kentucky Illiteracy Commission, appropriating money thereto.

S. B. 4. An act to amend an act approved December 3, 1892, entitled an act relating to interest and usury.

S. B. 41. An act to promote temperance in the state.

S. B. 46. An act to amend subsection 8 of chapter 9a, Kentucky Statutes, being section 165 Kentucky Statutes, Carroll's edition, 1915, relating to the Banking Department, by providing that the Banking Commissioner may accept examinations made by the Federal Reserve authorities in lieu of the official examinations, and anthorizing the Banking Commissioner to furnish to the Federal Reserve Agent of the district in which a member bank may be situated copies of examinations and reports of member banks.

S. B. 76. An act to amend subsection 12, section 3290, chapter 89, of the Kentucky Statutes, relating to the government of third class cities.

S. B. 83. An act for the benefit of the Kentucky Normal and Industrial Institute for colored persons.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

S. B. 79. An act relating to Charitable Institutions, and providing and appropriating an annual per capita for the pauper and part pay inmates of the Eastern, Western and Central State Hospitals, and for the Kentucky Institute for Feeble-Minded Children, and fixing the amount of per capita to be paid by inmates of said institutions who may be able to pay, and repealing laws in conflict.

S. B. 110. An act regulating the weight of load that may be hauled over public streets, highways, bridges and culverts, and regulating speed of automobile trucks and automobiles and providing penalties for violation.

S. B. 111. An act for the benefit of West Kentucky College, making appropriations therefor, providing for state ownership of lands bought or improved, and prescribing regulations for the control of said institution.

S. B. 169. An act to repeal and re-enact section 12 of chapter 43, Acts of the General Assembly of 1916, which act

is entitled an act to amend and re-enact chapter 142 of the Acts of the General Assembly of Kentucky, approved March 19, 1912, entitled an act to provide for the organization, armament, discipline and government of the militia, and in so doing to provide for the organization, armament, equipment, discipline and government of a state guard, and making an appropriation for same.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

S. B. 118. An act to amend sections 579 and 584, Kentucky Statutes, Carroll, 1915, relating to the powers of banking corporations and the required reserves of such corporations, by providing that banking institutions created and organized under the laws of this Commonwealth may pledge any portion of their assets as security for deposits of the United States government, and further providing that such banks or trust companies which shall become members of a Federal Reserve Bank may conform to the reserve requirements of the act of Congress known as the Federal Reserve Act, in lieu of reserves required by the laws of this Commonwealth.

S. B. 245. An act to amend section 227 of the Constitution of the Commonwealth relating to the removal of officers for misfeasance, malfeasance or neglect of duty.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

S. B. 96. An act relating to agriculture, labor and statistics, and appropriating money to provide for the continuance of extension work in the state of Kentucky by the Agricultural Colleges of the University of Kentucky, under the provisions of an act of Congress of the United States approved May 8th, 1914, entitled an act to provide for cooperative extension work between the agricultural colleges in the several states receiving the benefits of an act of Congress approved July 2nd, 1862, and an act supplementary thereto, and the United States Department of Agriculture, and repealing section 5 of chapter 20, Acts of 1916.

Whereupon all other business was suspended, said bill was read at length and compared in open House, was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said bill.

Ordered, that the Enrolling Clerk deliver said bill to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

H. B. 149. An act to amend an act entitled: An act to incorporate the Confederate Home and provide for the maintenance thereof.

H. B. 23. An act creating the office of district detective to the Commonwealth's attorney in counties containing cities of the second class, in which there is located circuit courts of continuous session, prescribing the method of appointment and removed, the duties, powers, and salary and the method of payment of such officer.

H. B. 16. An act relating to elections, and providing means of special registration for officers and employes of the Commonwealth or of the United States, ministers of the gospel and commercial travelers.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills which originated in the House and which have been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, a bill of the following title, viz.:

H. B. 359. An act relating to the drainage and the prevention of overflow of lands, towns, cities, roads, streets, the establishment, organization and maintenance of drainage, levee, and reclamation districts, the construction and maintenance of public ditches, canals, drains, sewers, dams, levees, and the straightening, widening, deepening, enlarging, and otherwise improving public ditches, drains, creeks, rivers or other streams, prescribing the method of procedure, the levying and collection of assessment for the payment of the costs and expense of establishing and organizing such districts, the construction of such improvements, creating and incorporating boards of drainage commissioners, and prescribing the duties of commissioners and other officers and employes, and providing for the payment of such officers and employes performing duties, the issuing and selling of district bonds, with which to secure funds with which to defray the cost and expenses of improvements hereunder.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill.

Ordered, that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bill which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bill which originated in the House and which had been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 165. An act relating to the Bureau of Agriculture, Labor and Statistics, providing that it shall do demonstration work and may co-operate with State and government authorities in holding agricultural meetings and making an appropriation therefor.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. In order that the Bureau of Agriculture, Labor and Statistics may keep in direct touch with the needs and demands of the agricultural and live stock interests of this State, it is hereby given the right, power and authority to engage in field demonstration agricultural work through the medium of silo construction; grinding of limestone for agricultural purposes; spraying and pruning of fruit trees; encouraging the organization of agricultural and live stock associations; acquiring the necessary equipment for such work and for the general needs and demands of said industries.

§ 2. That said Bureau of Agriculture, Labor and Statistics may co-operate with the State and government authorities in the holding of farmers' institutes, farm chautauquas, movable schools of agriculture and other agricultural meetings.

§ 3. For the purpose of carrying out the provisions of this act and for the general purposes of the bureau, the sum of ten thousand ($10,000) dollars per annum in addition to the amount already appropriated for the benefit of the Bureau of Agriculture, Labor and Statistics, is hereby appropriated out of any money in the treasury not otherwise appropriated for the use of said bureau. The clerk shall certify all expenditures to the Commissioner of Agriculture and he in turn shall certify them to the Governor and upon his approval of same, the Auditor of Public Accounts is authorized to draw his warrant upon the treasury for the amount.

Whereas, it is most imperative that all agricultural activities should be exercised to the utmost, an emergency is hereby declared, and this act shall become effective upon its passage and approval by the Governor.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	L. D. Baldauf	W. T. Beckham
Chas. Ashby	A. L. Baldwin	H. V. Bell
B. S. Bailey	Robert Bays	Leroy Bonta

W. P. Bowman	David J. Howard	W. F. Paris
J. L. Bradford	A. R. Hudson	Lilburn Phelps
C. V. Brown	Chas. L. Hunter	Ote Piper
R. J. Cain	Leslie P. Jones	Richard Radcliffe
H. C. Chappell	W. H. Jones	H. C. Rice
Everett Cobb	Griffin Kelly	Lewis Ryans
John Cook	W. F. Klair	Avery Sartin
A. S. Cooper	H. A. Knollman	Claude B. Smith
Fred Cornelius	S. D. Laughlin	R. T. Smith
W. P. Cropper	Joseph Lazarus	Thomas Spurrier
James S. Cruse	M. E. Lee	Ben Street
J. C. Davis	J. E. Lilly	John W. Swope
A. A. Demunbrun	Harry J. Meyers	Claude M. Thomas
Harry Dill	Clarence Miller	J. B. Thomas
H. L. Dixon	Claude D Minor	G. F. Thompson
W. G. Dycus	John T. Murphy	J. T. Thornton
F. A. Easterling	Ryland C. Musick	S. G. Thornberry
J. M. Elliston	A. J. McCandless	W. F. Trusty
I. H. Gabbard	W. P. McDonogh	J. Wood Vance
Lark Garnett	H. C. McGehee	F. C. VanHoose
M. E. Gilbert	S. Lee McGohan	G. C. Waggoner
W. H. Hager	H. C. McLellen	G. Frank Walthal
A. L. Hamilton	W. B. O'Bannon	T. R. Welch
E. C. Hardin	A. J. Oliver	W. N. Winn

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Those who voted in the negative were—

L. L. Embry	B. H. Harris	T. J. Smith
J. S. Hall	J. W. Johnson	
L. B. Hamilton	S. H. Moore	

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Resolved, that the title thereof be as aforesaid.

Mr. Lee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 159. An act to suppress, prevent, control and eradicate communicable disease in live stock, to provide the necessary officers and define their duties and powers, and to appropriate funds necessary for its enforcement, and repealing section 63a of article 2, chapter 5, Carroll's 1915 edition Kentucky Statutes.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. a. Whenever the word "board" is used in this act, it shall be construed to mean the State Live Stock Sanitary Board of Kentucky.

b. Whenever the word "communicable disease" is used in this act it shall refer to any one of the following: Anthrax, black leg, catarrhal influenza of horses or cattle, contagious pleuro-pneumonia, foot-and-mouth disease or aptheous fever, glanders, hemorrhagic septicaemia, hog cholera, maladie du coit or dourine, mange of cattle or horses, necrobacilosis or foot rot in sheep, rabies or hydrophobia, rinderpest, scabies in cattle or sheep, Texas tick or Southern cattle fever, tuberculosis, or any other disease now or hereafter proclaimed by the board to be of a transmissible character.

c. Whenever the word "owner" appears in this act, it shall be construed to mean any person owning, or leasing from another, or having in charge any domestic animal or animals.

d. Whenever the word "premises" is used in this act it shall be construed to mean any part or portion of land, or any structure erected on land, and any vehicle or vessel used

in the transportation of passengers, goods or animals whether by land or water.

e. Whenever the word "person" is used in this act, it shall be construed to mean any individual, co-partnership, association or corporation.

§ 2. That it shall be the duty of every practitioner of veterinary medicine, surgery or dentistry, owner or person having knowledge of the existence of any communicable disease of live stock within the State to immediately report same to the county live stock inspector of the county, in which the disease exists, or to the State Veterinarian. This report shall be in writing and shall include a description of the animal or animals, the name and exact postoffice address of the owner, location of animal or animals, the number of susceptible animals exposed to the disease and the number of animals having died of the disease. Failure on the part of the owner, or person, or veterinarian treating such animal or animals, to report such disease or diseases shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten ($10.00) dollars nor more than fifty ($50.00) dollars.

§ 3. That any person, who shall have in his possession any domestic animal or animals infected with a communicable disease, and who shall knowingly permit such animal or animals to run at large, or who shall knowingly keep such animal or animals where other domestic animals not affected with or previously disposed to such disease may become infected with or exposed thereto, or knowingly permit such animal or animals to go on, across or along any public highway, or in any field or lot adjacent to any public highway, or through which flows a stream, or who shall ship, drive, haul, sell, offer for sale, trade or give away any such animal or animals, except on special permit from the board, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than fifty ($50.00) dollars nor more than two hundred ($200.00) dollars for each offense.

§ 4. That any person, except common carriers, who shall ship, drive, haul, or in any other way bring into this State any animal or animals infected with a communicable disease, or that have within the previous thirty days been exposed thereto, or who shall ship, drive, haul, or in any other way bring into this State any animal or animals in violation of any order, rule, or regulation of the board in establishing interstate quarantine to prevent the entrance of disease into this State, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than two hundred ($200.00) dollars nor more than one thousand ($1,000.00) dollars for the first offense; and not less than five hundred ($500.00) dollars nor more than fifteen hundred ($1,500.00) dollars, and imprisonment in the county jail for a period of not less than sixty (60) days nor more than one hundred and twenty (120) days upon conviction for a second offense.

§ 5. That any person who in any way interferes with the board, or any of its members, representatives, agents or employes in the inspection of premises and animals, or who wilfully hinders, obstructs, evades or otherwise disregards any quarantine the board may declare, or violates any rule or regulation it may make for the purpose of preventing the spread of communicable diseases in live stock, or who shall conceal or attempt to conceal the presence of an animal or animals infected with or exposed to a communicable disease, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than fifty ($50.00) dollars, nor more than two hundred ($200.00) dollars for the first offense; should the same person be convicted of a second offense he shall be fined not less than five hundred ($500.00) dollars, nor more than one thousand ($1,000.00) dollars and shall be imprisoned in the county jail for not less than sixty (60) days nor more than one hundred and twenty (120) days.

§ 6. That the movement of domestic animals from other states into Kentucky shall be made only in compliance with

the rules and regulations of the board, and any animal or animals brought into this State in violation of any rule or regulation of the board shall be placed in quarantine and so held until the necessary inspection or test has been completed by a representative or agent of the board, and all expenses incident to such quarantine, including the inspection and testing, shall be borne by the owner. The transportation of any domestic animal or animals into the State of Kentucky by any common carrier in violation of the law, rules and regulations of the board shall constitute a misdemeanor and upon conviction thereof such common carrier shall be punished by a fine of not exceeding five hundred ($500.00) dollars for each offense.

§ 7. That whenever the board, or any of its authorized agents, shall determine that any domestic animal or animals are infected with or exposed to any communicable disease and that to prevent the spread of disease it is necessary to destroy or slaughter such animal or animals, such animal or animals shall be appraised and destroyed or slaughtered, and the owner indemnified therefor as hereinafter provided. The authorized agent of the board shall act as one of the appraisers, the owner shall select any disinterested person, as an appraiser, who is a bona fide resident of the county in which the appraisal is made, and who must be a resident holder of real property in such county, and who is well informed as to the value of animals; and in case of disagreement, these two appraisers shall select a third person, who must have the same qualifications as the appraiser selected by the owner. In the appraisement of such animals under this act, the appraisers shall consider the value of the animal at the time of such appraisal, keeping in mind the fact that said animal is diseased. After such appraisal has been agreed upon, the board, or its authorized agent, shall proceed in the best manner possible to destroy or slaughter such animal or animals, having in view at all times the disposition of the carcass in

the best and safest manner. Such agent is hereby authorized and empowered to sell the entire carcass or carcasses, or any portion thereof, and the amount secured from such sale is to be paid to the owner, and this amount is to be deducted from three-fourths (¾) of the appraisal value and the remainder is the amount to be paid by the State to the owner as indemnity. Where it is not practicable to sell the carcass or carcasses, or any portion thereof, then three-fuorths (¾) of the appraied value shall be paid by the State to the owner as indemnity.

Subsection a. Provided, that no indemnity shall be paid for any animal or animals, except such animal or animals shall have been the property of the person claiming indemnity therefor and shall have been within the state for a period of at least six (6) months prior to the time of appraisal, except when animals are destroyed or slaughtered on account of aptheous fever or foot and mouth disease, dourine, glanders or contagious pleuro-pneumonia.

Subsection b. Provided, further, that no indemnity shall be paid for any animal or animals owned by the United States, the state of Kentucky, or any county, city, town or village within this state, nor for any animal or animals that have been brought into this state in violation of the law, or any rule or regulation of the board; nor when the owner at the time of coming into possession of such animal or animals had any reason to believe that it was so infected; nor when the board, or its authorized agents, have satisfactory evidence that the owner had been guilty of negligence or carelessness in permitting such animal or animals to became exposed to such communicable disease.

Subsection c. Provided, further, that in case of an epidemic of foot and mouth disease, or any other communicable disease, any animal or animals that are destroyed by order of the United States government, or any department thereof, and an indemnity of fifty (50%) per cent of the appraised

value is being paid by the United States government, or any department thereof, the state of Kentucky shall only pay a like amount, or fifty (50%) per cent of the appraised value.

Subsection d. Provided, further, that in case of an epizootic of a communicable disease of such character as to necessitate the destruction of property or materials to prevent the spread of disease, said property or materials may be appraised, destroyed and indemnities paid therefor in the same manner as provided for in this act for the appraisal, destruction or slaughter, and the payment of indemnities for animals, except that no indemnities shall be paid to exceed fifty (50%) per cent of the appraised value of said property or materials.

Subsection e. Provided, further, that whenever such appraisal has been agreed upon and before indemnities have been paid, the owner shall thoroughly clean and disinfect the premises and any animal or animals that have been exposed to such infection, as the board, or its authorized agent, may determine; such disinfection shall be done at the expense of the owner and under the supervision of said board, or its authorized agent. After such appraisal has been agreed upon and disinfection has been completed, carcass or carcasses disposed of, the board shall execute a claim or voucher upon the State Auditor for any amount due the owner, the said claim or voucher to be approved by the state veterinarian and the chairman of the board; upon receipt of such claim or voucher, the Auditor shall issue his warrant on the State Treasurer for said amount, who in turn shall draw a check upon the general expenditure fund of the state and forward same to the chairman of the board, by whom it shall be paid to the owner. All indemnities paid for the destruction or slaughter of live stock infected with or exposed to any of the communicable diseases shall be paid out of the general expenditure fund on the warrant of the Auditor upon receipt of

vouchers, approved by the state veterinarian and the chairman of the board.

Subsection f. Provided, further, that in no case shall the amount paid as indemnity exceed for any equine animal the sum of one hundred ($100.00) dollars; for a registered bovine animal, two hundred ($200.00) dollars; for a grade bovine animal, one hundred ($100.00) dollars, and that no indemnities shall be paid by the state for any animal or animals destroyed or slaughtered on account of any disease, except foot and mouth disease, glanders, contagious pleuro-pneumonia, bovine tuberculosis or maladie du coit or dourine, and any disease for which the United States government, or any department thereof, shall pay fifty (50%) per cent.

§ 8. That all carcasses of domestic animals, which have died or which have been destroyed on account of any disease, except those destroyed on account of tuberculosis and slaughtered under the supervision of the state veterinarian or other representative of the board, unless otherwise ordered by the board, shall be disposed of as follows:

a. Complete cremation of the entire carcass and all of its parts and products.

b. Boiling carcass and all of its parts and products in water, or heating with steam at a temperature above boiling continuously for two (2) hours or more.

c. Burying carcass and all of its parts and products in the earth at a point which is never covered with the overflow of ponds or streams, and which is distant not less than one hundred (100) feet from any watercourse, well, spring, public highway, residence or stable. Carcass shall be placed in an opening in the earth at least four (4) feet deep, abdominal and thoracic cavities opened wide their entire length with a knife or other sharp instrument, and the entire carcass covered with two (2) inches of quicklime and at least three (3) feet of earth.

Neglect or refusal on the part of the owner to dispose of carcass or carcasses, as above set forth, within forty-eight (48) hours after said carcass or carcasses are found shall constitute a misdemeanor, and upon conviction said owners shall be fined not less than ten ($10.00) dollars nor more than fifty ($50.00) dollars for each offense.

§ 9. That during the prevalence of any communicable disease in live stock and to prevent the spread of such communicable disease, it shall be deemed lawful and necessary for any person to kill, or otherwise destroy and to burn or bury the carcasses of buzzards, crows, pigeons, doves or any other bird or fowl known to be carriers of infectious material that he may find upon his premises.

§ 10. That the carcass or carcasses of any animal or animals shall not under any circumstances be loaded in cars, crates, boats, wagons or other vehicles containing live animals, except on special permit from the state veterinarian. Such carcass or carcasses shall be disposed of in accordance with the provisions of section 8.

§ 11. That any person manufacturing anti-hog cholera serum, hog cholera virus, or any other product used in the prevention or treatment of swine diseases shall, before any of said products are sold or offered for sale in this state, pay or cause to be paid to the chairman of the board an annual license fee of fifty ($50.00) dollars and shall execute bond in the sum of five thousand ($5,000.00) dollars for their faithful compliance with the laws, rules and regulations of the board, said bond to be acceptable to the chairman of the board. All licenses or forfeitures under this act shall be paid to the chairman and shall be used in the same manner as the funds appropriated for the use of the board. Any person violating the provisions of this section shall upon conviction be fined not less than five hundred ($500.00) dollars nor more than five thousand ($5,000.00) dollars. Any veterinarian, or other person, who knowingly purchases or uses anti-hog cholera serum, hog cholera virus or any other product used in the

prevention or treatment of swine diseases, manufactured and sold by any person who has not complied with the provisions of this section, shall be guilty of a misdemeanor and upon conviction shall be fined not less than ten ($10.00) dollars nor more than fifty ($50.00) dollars for each offense.

§ 12. That to carry out the provisions of this act there is hereby constituted the State Live Stock Sanitary Board of Kentucky, which shall consist of the Commissioner of Agriculture, Labor and Statistics, ex-officio chairman, the Director of the Kentucky Agricultural Experiment Station, ex-officio member and vice-chairman, the Head of the Division of Animal Husbandry of the Kentucky Agricultural Experiment Station, ex-officio member, and four members of the State Board of Agriculture, two from each of the dominant political parties, to be selected annually by the said State Board of Agriculture. The members of the board shall serve without salary, but shall receive ten ($10.00) dollars per diem for each day the board is actually in session, together with all the necessary traveling and other expenses incurred while engaged in the discharge of their official duties. The chairman of the board shall receive for his services, as such, a salary of one thousand five hundred ($1,500.00) dollars per annum and the necessary traveling and other expenses incurred while engaged in the discharge of his official duties. The chairman of the board may, and at the request of four members shall, call the meetings of the board at such times and places as may be deemed necessary for the best interests of the live stock industry.

§ 13. That the board is hereby charged with the enforcement of the provisions of this act, and it shall be the duty of said board to adopt and enforce such measures as it may deem necessary, to improve and protect the live stock industry of this state, and to prevent, suppress, control and eradicate any communicable diseases of live stock; to investigate the prevalence of communicable diseases in live stock

upon receipt of reports of same; to issue such circulars, pamphlets, bulletins or other literature, as it may deem necessary, for public distribution; to give information and instruction to farmers, breeders and feeders of live stock in the nature, cause, prevention and control of communicable diseases; to regulate the importation, sale, use and distribution of biological, chemical or other products, substances or materials used in the diagnosis, treatment or prevention of live stock diseases, to receive and receipt for all moneys receivable from licenses provided for in this act; and for the purpose of carrying out the provisions of this act the board is hereby authorized and empowered to co-operate with the Kentucky Agricultural Experiment Station in conducting the necessary scientific investigations relating to the cause, nature, prevention and treatment of communicable diseases in live stock; to establish, maintain and enforce such quarantine and other measures, as it may deem necessary in controlling the movement of live stock into, through or within the state; to order and enforce the cleaning and disinfection of premises and all articles and materials, by which communicable diseases may be transmitted, and the destruction of diseased and exposed animals and all such property and materials, as may be necessary in the eradication of disease; to adopt, issue and enforce such rules and regulations as it may deem necessary, in preventing the spread of communicable diseases; to print, or to have printed, such circulars, pamphlets, bulletins or other literature, as may be necessary, and to distribute same; to regulate the importation, sale, use and distribution of biological, chemical or other products, substances or materials used in the diagnosis, treatment or prevention of live stock diseases when the provisions of section 10 of this act have been complied with; to employ the necessary scientific, field, stenographic and clerical assistants and to fix their salaries.

Subsection a. Whenever the board may consider it necessary to employ the services of veterinarians in any part of the state for the purpose of carrying out the provisions of this act, they may be employed and shall be paid not to exceed seven ($7.00) dollars per diem and their necessary traveling and other expenses incurred while engaged in the discharge of their official duties.

Subsection b. The board, or any of its members, representatives, agents or employes, are empowered to enter premises, public or private, for the purpose of making the necessary inspections, or in any way enforcing the provisions of this act, and when necessary to call upon the sheriff, his deputies, constables, police or other officers for assistance in enforcing the law, rules and regulations, and it shall be the duty of such officers to render such assistance when ordered so to do by the board, or any of its members. representatives, agents or employes.

§ 14. That the board is authorized and empowered to adopt, issue and enforce such rules and regulations, as in their judgment may be necessary, to provide for the proper diposal of cows suffering from a local or constitutional disease, that is transmissible to man. Any person violating said rules and regulations shall be fined not less than ten ($10.00) dollars, nor more than fifty ($50.00) dollars for the first offense; should the same person be found guilty of a second offense, he shall be fined not less than two hundred ($200.00) dollars, nor more than one thousand ($1,000.00) dollars, and imprisonment in the county jail not less than thirty (30) days, nor more than ninety (90) days, or both such fine and imprisonment.

§ 15. That this board may co-operate with the Bureau of Animal Industry of the United States Department of Agriculture, and with officials in charge of live stock sanitation in other states in maintaining interstate quarantine and in the prevention, control and eradication of any communicable

disease in live stock, or with any other agency, that in their opinion is for the best interests of the live stock industry. And the board may appoint in writing any veterinary inspector of the Bureau of Animal Industry, or any other employe of said bureau, as State Live Stock Inspector, who shall have the same power as the county live stock inspector, or other representative of the board, and shall be at all times subject to the orders of the board and shall report his actions to said board, but no veterinary inspector or other employe of the Bureau of Animal Industry shall receive any compensation for his services from the state, or any subdivision thereof.

§ 16. That the board shall within ninety (90) days after this act becomes effective elect a state veterinarian. Said state veterinarian shall be a resident of this state, a licensed graduate veterinarian and shall have practiced his profession continuously in this state for a period of five (5) years prior to his election, and shall hold office for a term of four (4) years and until his successor shall have been elected and qualified. He shall devote his entire time to the duties of the office and shall receive no compensation from any source whatever for his official services, other than his salary, which shall be fixed by the board, but shall not exceed the sum of three thousand ($3,000.00) dollars per annum, together with the necessary traveling and other expenses incurred while in the discharge of his official duties, and he shall be subject to removal from office by the board at any time for cause. The office of the state veterinarian shall be in the Department of Agriculture, new state capitol, Frankfort, Kentucky.

Subsection a. Upon the recommendation of the state veterinarian, the board may, within its discretion, select and appoint a deputy state veterinarian, who shall be a resident of this state, a licensed graduate veterinarian and shall have practiced his profession continuously within this state for a

period of three (3) years prior to his election and shall hold office for a term of four (4) years and until his successor shall have been elected and qualified. Said deputy state veterinarian shall receive an annual salary not to exceed two thousand ($2,000.00) dollars and the necessary traveling and other expenses incurred while engaged in the discharge of his official duties, and shall be subject to removal from office by the board at any time for cause.

§ 17. That the state veterinarian shall be the chief executive agent of the board, shall execute and enforce the rules and regulations of said board, and under the direction of said board shall supervise and control the action of all deputies, inspectors, agents and specialists employed by said board, and to recommend from time to time such changes in the rules and regulations of said board, as he may deem necessary, and do all other things necessary and proper for the successful enforcement of this act.

Subsection a. The deputy state veterinarian shall devote his entire time to the duties of the office, shall assist the state veterinarian in the enforcement of the rules and regulations of the board, and shall in the absence or incapacity of the state veterinarian be executive agent of the board with the same duties and powers of the state veterinarian.

§ 18. That the fiscal court in each and every county shall, within sixty (60) days after this act becomes effective, appoint or elect a county live stock inspector, who shall be a citizen of the county and a licensed veterinarian, if there be such in the county, regularly engaged in the practice of veterinary medicine. If there be neither a licensed graduate veterinarian nor a licensed non-graduate veterinarian in the county, the county live stock inspector shall be a reputable citizen of the county, who is familiar with the care and attention of live stock and the prevention and treatment of live stock diseases. But in no case shall the appointment or election of the county live stock inspector become effective

until after such appointment or election has been approved by the board. The fiscal court shall fix the salary of the county live stock inspector, which shall be an amount commensurate with his ability and his duties. Said salary and the necessary expenses incurred in the discharge of his official duties shall be paid by the county, as are other county salaries and expenses. Should the members of the fiscal court fail to carry out the provisions of this act, they shall be charged with misfeasance in office and shall be subject to punishment for such offense.

§ 19. That the county live stock inspector shall, after his appointment or election has been approved by the board, be its local agent or representative under the direction of the state veterinarian in enforcing its laws, rules and regulations, and shall report in writing to the state veterinarian all outbreaks of communicable diseases, giving the name and exact postoffice address of the owner, the number of animals that have died, number sick, number of susceptible animals exposed to the disease, and for this purpose he may be authorized and empowered by the state veterinarian to make the necessary investigations, enter any premises, examine such live stock as may de deemed necessary, to order quarantine of any animal or animals and premises and see that such quarantine is enforced and maintained until such time as it may be released by order of the board, and shall at all times co-operate with the board in preventing, suppressing, controlling and eradicating communicable diseases in live stock, reporting his official action to the state veterinarian, who shall upon receipt of such report render assistance if necessary. Failure upon the part of the county live stock inspector to comply with the directions of the state veterinarian shall be cause for removal from office, and his removal shall be at the discretion of the board.

§ 20. That all railroads or other common carriers operating within this state shall furnish the members of the board,

the state veterinarian, the deputy state veterinarian and the agents and employes of said board free transportation over their lines within the state while they are engaged in the discharge of their official duties.

§ 21. That for the use of said board in carrying out the provisions of this act, there is hereby annually appropriated the sum of twenty-eight thousand one hundred and ninety ($28,190.00) dollars out of any funds in the treasury not otherwise appropriated.

Subsection a. Should the above sum prove insufficient for the employment of the necessary inspectors, during an epizootic of foot and mouth disease or aptheous fever, the Governor may order the expenditure of an additional five thousand ($5,000.00) dollars, and said sum may be expended on the order of the Governor in any one year.

§ 22. That the board shall make a biennial report to the General Assembly of all its actions and expenditures.

§ 23. That all laws, or parts of laws, inconsistent with or repugnant to this act, are hereby repealed.

§ 24. Whereas it is most imperative that the live stock industry of this Commonwealth should be protected, increased and conserved, an emergency is hereby declared to exist and this act shall become effective upon its passage and approval.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	M. E. Gilbert	S. Lee McGohan
Chas. Ashby	W. H. Hager	H. C. McLellen
B. S. Bailey	J. S. Hall	W. B. O'Bannon
L. D. Baldauf	A. L. Hamilton	A. J. Oliver
J. H. Ballard	E. C. Hardin	Luther Pieratt
A. L. Baldwin	B. H. Harris	Richard Radcliffe
W. T. Beckham	David J. Howard	H. C. Rice
H. V. Bell	Chas. L. Hunter	Lewis Ryans
Leroy Bonta	J. W. Johnson	Avery Sartin
W. P. Bowman	Leslie P. Jones	Joe Schneider
J L. Bradford	W. H. Jones	Claude B. Smith
C. V. Brown	Griffin Kelly	Thomas Spurrier
R. J. Cain	W. F. Klair	Ben Street
John Cook	H. A. Knollman	John W. Swope
A. S. Cooper	W. T. Lasley	Claude M. Thomas
Fred Cornelius	S. D. Laughlin	J. B. Thomas
W. P. Cropper	Joseph Lazarus	G. F. Thompson
James S. Cruse	M. E. Lee	J. T. Thornton
J. C. Davis	Harry J. Meyers	W. F. Trusty
A. A. Demunbrun	Clarence Miller	J. Wood Vance
Harry Dill	Claude D Minor	F. C. VanHoose
H. L. Dixon	S. H. Moore	G. C. Waggoner
W. G. Dycus	John T. Murphy	G. F. Walthal
F. A. Easterling	Ryland C. Musick	T. R. Welch
J. M. Elliston	A. J. McCandless	W. N. Winn
I. H. Gabbard	W. P. McDonogh	E. G. Young
Lark Garnett	H. C. McGehee	—80

Those who voted in the negative were—

Everett Cobb	T. J. Smith	Elmore Thomas
Joe Huddleston		—4

Resolved, that the title thereof be as aforesaid.

Mr. Lee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 168. An act to appropriate money to be expended by the Board of Prison Commissioners at the State Reformatory, Frankfort, Ky., for complete electric wiring throughout, heating plant for shoe factory, new boilers, electric motor and engine and dynamo.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That whereas the fire that in June, 1916, destroyed the chair factory building, and disastrous fire in January, 1917, in cell house "A" at the State Reformatory, Frankfort, Kentucky, demonstrated the necessity for repairs and improvements to avoid possible repetition. Therefore, there is hereby appropriated the sum of fifteen thousand dollars for the complete electrical re-wiring throughout the State Reformatory, Frankfort, Kentucky.

§ 2. There is further appropriated the sum of ten thousand dollars for heating plant in shoe shop, electric motor, two new boilers and engine and dynamo.

§ 3. The sums are hereby appropriated out of the money in the treasury not otherwise appropriated, and the Auditor of Public Accounts is authorized to draw his warrant in payment for this work upon the written order of the Board of Prison Commissioners, who shall contract for and supervise same.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	W. H. Jones	Lilburn Phelps
Chas. Ashby	W. F. Klair	Ote Piper
B. S. Bailey	W. T. Lasley	H. C. Rice
J. H. Ballard	S. D. Laughlin	Lewis Ryans
H. V. Bell	M. E. Lee	Joe Schneider
T. L. Caudel	J. E. Lilly	Claude B. Smith
W. P. Cropper	H. J. Meyers	Thomas Spurrier
James S. Cruse	Clarence Miller	Ben Street
J. C. Davis	Claude D Minor	J. B. Thomas
A. A. Demunbrun	S. H. Moore	J. T. Thornton
H. L. Dixon	Ryland C. Musick	W. F. Trusty
W. G. Dycus	W. P. McDonogh	F. C. VanHoose
F. A. Easterling	H. C. McGehee	G. C. Waggoner
J. M. Elliston	S. Lee McGohan	G. F. Walthal
L. L. Embry	H. C. McLellen	T. R. Welch
M. E. Gilbert	W. B. O'Bannon	W. N. Winn
W. H. Hager	A. J. Oliver	E. G. Young
A. L. Hamilton	T. P. Oliver	
Chas. L. Hunter	W. F. Paris	—55

Those who voted in the negative were—

L. D. Baldauf	Harry Dill	Leslie P. Jones
Robert Bays	I. H. Gabbard	H. A. Knollman
W. T. Beckham	Lark Garnett	Joseph Lazarus
W. P. Bowman	J. S. Hall	John T. Murphy
O. V. Brown	L. B. Hamilton	A. J. McCandless
R. J. Cain	E. C. Hardin	Luther Pieratt
Everett Cobb	B. H. Harris	Richard Radcliffe
John Cook	D. J. Howard	Avery Sartin
A. S. Cooper	Joe Huddleston	R. T. Smith
Fred Cornelius	J. W. Johnson	T. J. Smith

John W. Swope Elmore Thomas J. Wood Vance
Claude M. Thomas S. G. Thornberry —35

Resolved, that the title thereof be as aforesaid.

Mr. Lee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 318. An act abolishing the offices of State Forester and State Geologist and creating the office of Commissioner of Geology and Forestry, providing for a deputy and fixing salaries and extending the appropriation to the Kentucky Geological Survey so as to cover the same and that of the State Board of Forestry, repealing portion of section 1905c, 2007a and 2007b, Kentucky Statutes, Carroll's edition of 1915.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created the office of Commissioner of Geology and Forestry, who shall be a graduate in good standing of some standard school of geology, or a graduate in good standing of a standard school of forestry, and he may appoint, with the consent of the Governor, a deputy, who shall be a graduate in good standing of some standard school of geology, or school of forestry. If the commissioner is a graduate in geology, said deputy shall be a graduate in forestry, or vice versa. Said commissioner, together with said deputy, is hereby authorized to and shall discharge all the powers, duties and privileges that are now conferred by

law upon the office of Geological Survey and the Board of Forestry.

§ 2. That said commissioner shall receive a salary of three thousand dollars to be paid out of the State Treasury of the Commonwealth of Kentucky for his services, and his dupty shall receive a salary of twenty-five hundred dollars out of the State Treasury for his services.

§ 3. Said commissioner and his deputy shall be appointed by the Governor by and with the consent of the Senate for two years and from and after the expiration of this period they shall be appointed for a term of four years; they shall reside in Franklin County and shall maintain the office of said commissioner in the State Capitol, and they shall give their entire time to the duties of said office.

§ 4. Said commissioner and his deputy are hereby invested with the authority to and they shall discharge all the powers, duties and privileges now conferred by law on the State Geologist and the State Forester, and said offices are hereby abolished.

§ 5. Subsection 30 of section 1905c, Kentucky Statutes, Carroll's edition of 1915, providing an appropriation of fifteen thousand dollars for the use of the State Board of Forestry is hereby repealed.

§ 6. The appropriation provided in section 2007b, Kentucky Statutes, Carroll's edition of 1915, shall be used for the work of the State Board of Forestry as well as that of the Geological Survey.

§ 7. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	M. E. Gilbert	W. B. O'Bannon
L. D. Baldauf	W. H. Hager	A. J. Oliver
J. H. Ballard	J. S. Hall	T. P. Oliver
Robert Bays	A. L. Hamilton	W. F. Paris
W. T. Beckham	L. B. Hamilton	Lilburn Phelps
H. V. Bell	E. C. Hardin	Luther Pieratt
Leroy Bonta	D. J. Howard	Ote Piper
W. P. Bowman	Chas. L. Hunter	Richard Radcliffe
J. L. Bradford	J. W. Johnson	Lewis Ryans
O. V. Brown	Leslie P. Jones	Avery Sartin
R. J. Cain	W. H. Jones	Joe Schneider
T. L. Caudel	W. F. Klair	Claude B. Smith
Everett Cobb	H. A. Knollmann	R. T. Smith
John Cook	W. T. Lasley	Thomas Spurrier
Fred Cornelius	S. D. Laughlin	Ben Street
W. P. Cropper	Joseph Lazarus	John W. Swope
James S. Cruse	M. E. Lee	C. M. Thomas
J. C. Davis	J. E. Lilly	J. B. Thomas
A. A. Demunbrun	Harry J. Meyers	S. G. Thornberry
H. L. Dixon	Clarence Miller	J. Wood Vance
W. G. Dycus	Claude D Minor	F. C. VanHoose
F. A. Easterling	John T. Murphy	G. C. Waggoner
J. M. Elliston	A. J. McCandless	G. F. Walthal
L. L. Embry	W. P. McDonogh	T. R. Welch
I. H. Gabbard	H. C. McGehee	E. G. Young
Lark Garnett	S. Lee McGohan	—77

Those who voted in the negative were—

A. S. Cooper	Harry Dill	—2

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 324. An act relating to public printing and binding, and to require state departments, boards, commissions and institutions to submit annual or biennial reports or special or extraordinary printing to the Board of Printing Commissioners before the printing thereof.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That no state department, board, commission or institution shall make requisition upon the Superintendent of Public Printing for the printing of any annual or biennial report now, or as may hereafter be, authorized by law to be published, or any special or extraordinary job of printing (that is, any job of printing outside of the ordinary routine) until the head of such department, board, commission or institution shall have submitted the manuscript of such report, or special or extraordinary printing to the Board of Printing Commissioners. If the said commission approves the printing of such work, it shall direct the Superintendent of Printing to proceed therewith. Said Board of Printing Commissioners may, in its discretion, direct the head of any department, board, commission or institution to appear before said commission and show reasons why such printing should be done.

§ 2. All laws or parts of laws that conflict in whole or in part with section 1 of this act are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen
Chas. Ashby
B. S. Bailey
L. D. Baldauf
A. L. Baldwin
W. T. Beckham
H. V. Bell
Leroy Bonta
W. P. Bowman
J. L. Bradford
O. V. Brown
R. J. Cain
T. L. Caudel
H. C. Chappell
Everett Cobb
John Cook
A. S. Cooper
Fred Cornelius
W. P. Cropper
James S. Cruse
J. C. Davis
A. A. Demunbrun
H. L. Dixon
W. G. Dycus
F. A. Easterling
J. M. Elliston
L. L. Embry
I. H. Gabbard
Lark Garnett
M. E. Gilbert
W. H. Hager
J. S. Hall
E. C. Hardin
B. H. Harris
David J. Howard
Joe Huddleston
Chas. L. Hunter
J. W. Johnson
Leslie P. Jones
W. H. Jones
Griffin Kelly
W. F. Klair
H. A. Knollmann
W. T. Lasley
S. D. Laughlin
Joseph Lazarus
M. E. Lee
J. E. Lilly
Harry J. Meyers
Clarence Miller
Claude D. Minor
S. H. Moore
John T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
H. C. McGehee
S. Lee McGohan
H. C. McLellen
W. B. O'Bannon
A. J. Oliver
T. P. Oliver
W. F. Paris
Lilburn Phelps
Luther Pieratt
Ote Piper
Richard Radcliffe
Lewis Ryans
Avery Sartin

Joe Schneider	Elmore Thomas	G. F. Walthal	
R. T. Smith	J. B. Thomas	T. R. Welch	
T. J. Smith	S. G. Thornberry	W. N. Winn	
Thomas Spurrier	W. F. Trusty	E. G. Young	
Ben Street	J. Wood Vance		
John W. Swope	F. C. VanHoose		—85

Resolved, that the title thereof be as aforesaid.

Mr. Lee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 321. An act to create an Efficiency and Economy Commission, prescribing its duties, and fixing for the payment of the expenses thereof.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby created a commission to be known as "The Efficiency and Economy Commission," to be composed of four members of known probity and business experience. Four of them shall be appointed by the Governor for a term of four years and may be removed by the Governor at any time for sufficient cause shown in writing. The chairman and fifth member shall be the State Inspector and Examiner ex-officio, who shall vote in case of a tie.

§ 2. The commission may at any time inquire into any of the offices created under the laws of this State, or of any county, and into any of the boards, or commissions, or ex-

ecutive departments of the State, whether supported in whole or in part by public appropriations or by fees or dues, including the State Normal Schools, the State University, and penal and eleemosynary institutions. The commission shall report to the Governor whether or not any of such officers, boards, commissions or departments or appointees or employes are rendering public service commensurate with the appropriation, fees, or dues received, and whether or not the salaries paid or fees retained are allowed by law, or are in excess of constitutional limitations, or the services performed, and whether assistants have been employed or appointed in excess of the number necessary for efficient public service. They shall deliver to the officer, board, commission or department involved, copy of so much of said report as is pertinent to same. The commission will also summarize their work in a report to the Governor, who may in turn report to the General Assembly, and also recommend such legislation as will in his opinion result in greater efficiency and more economy in any department of public service. The commission is authorized to employ a stenographer and to summon witnesses, administer oaths, and hear any evidence relative to any subject within the purview of this act. No extra salary shall be paid to the State Inspector and Examiner, and no salary whatever be paid to the other members of the commission, but they shall be paid their actual necessary expenes incurred in going to, attending and returning from meetings of the commission, which expenses shall be paid by the State Treasurer upon warrant drawn by the Auditor.

§ 3. Whereas, in order that the information contemplated in this act may be available with the least possible delay, an emergency is therefore declared to exist and this act is to take effect upon its passage and approval by the Governor.

Mr. Klair moved that said bill be laid on the table.

Said motion was agreed to.

Mr. Lee moved that the vote by which said bill was laid on the table be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 329. An act to abolish certain offices, terminating the term of the present incumbents, repealing appropriations provided for such offices and enlarging and extending the powers, duties and privileges of certain other offices.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the State Tax Commission is hereby invested with the authority to, and shall discharge all the powers, duties and privileges that are now conferred by law upon the Commissioner of Motor Vehicles and supervisor of revenue agents of the State at large.

§ 2. The office of Commissioner of Motor Vehicles and that of the supervisor of revenue agents for the State at large are hereby abolished and the terms of the present incumbents are hereby terminated and the fees received by the supervisior of revenue agents shall be paid into the general expenditure fund.

§ 3. That the State Inspector and Examiner is hereby invested with the authority and he shall discharge the powers, duties and privileges that are now conferred by law upon the

office of inspector and examiner of schools, pertaining to inspection and examination of school census. The offices of assistant inspector and examiners and clerks and stenographers for same provided by section 4535f, Carroll's 1915 edition Kentucky Statutes, are hereby abolished and the terms of the present incumbents are hereby terminated.

§ 4. The office or position of compiling clerk and stenographer as provided for in section 141 of chapter 43, acts 1916, is hereby abolished and the duties required to be performed thereunder by the Adjutant General and the said clerk and stenographer are to be performed hereafter by the Commissioner of Confederate Pensions. The Commissioner of Confederate Pensions shall receive no compensation for the performance of the duties required by this act.

§ 5. All laws and parts of laws in conflict herewith are hereby repealed.

The Committee on Rules offered the following amendment to said bill, viz.:

Amend Senate Bill No. 329 in the House as follows:

(1) Amend section 1 by inserting in said section between the words "Commissioner of Motor Vehicles" and the words "and the supervisor of revenue agents of the State at large" the words, "and the Board of Sinking Fund Commissioners in relation to said department."

(2) Amend section 2 of said bill by placing a period after the words "are hereby terminated," and by striking out the remainder of said section which is as follows: "and the fees received by the supervisor of revenue agents shall be paid into the general expenditure fund."

Said amendments were adopted.

Mr. Laughlin offered the following amendment to Senate Bill No. 329, viz.:

Amend Senate Bill No. 329 on page 1 by striking out all of section three (3).

Said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby
B. S. Bailey
L. D. Baldauf
J. H. Ballard
H. V. Bell
Leroy Bonta
W. P. Bowman
J. L. Bradford
O. V. Brown
R. J. Cain
T. L. Caudel
H. C. Chappell
Everett Cobb
A. S. Cooper
Fred Cornelius
W. P. Cropper
James S. Cruse
J. C. Davis
A. A. Demunbrun
H. L. Dixon
W. G. Dycus
F. A. Easterling
L. L. Embry
I. H. Gabbard
Lark Garnett
M. E. Gilbert
W. H. Hager
L. B. Hamilton
E. C. Hardin
B. H. Harris
David J. Howard
Chas. L. Hunter
J. W. Johnson
Leslie P. Jones
Griffin Kelly
H. A. Knollmann
W. T. Lasley
S. D. Laughlin
M. E. Lee
J. E. Lilly
Harry J. Meyers
Clarence Miller
Claude D. Minor
S. H. Moore
John T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
H. C. McGehee
S. Lee McGohan
H. C. McLellen
W. B. O'Bannon
A. J. Oliver
T. P. Oliver
W. F. Paris
Lilburn Phelps
Luther Pieratt
Ote Piper
Richard Radcliffe
Avery Sartin

Joe Schneider	John W. Swope	G. C. Waggoner
Claude B. Smith	C. M. Thomas	G. Frank Walthal
R. T. Smith	J. B. Thomas	T. R. Welch
T. J. Smith	W. F. Trusty	W. N. Winn
Thomas Spurrier	J. Wood Vance	E. G. Young
Ben Street	F. C. VanHoose	—77

Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 316. An act to create a State Board of Control for the management and supervision of the penal and eleemosynary institutions of this State; to vest in said board all the powers, duties and privileges now vested by law in the Board of Control and the Board of Prison Commissioners of the State of Kentucky, fixing the salaries of the members and terminating the terms of office of the members of said existing boards.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby created a commission to be composed of five members, all of whom shall be residents of the State of Kentucky, and not less than thirty years of age. They shall be appointed by the Governor, by and with the consent of the Senate, for a period of two years, and at the end of said two years there shall be appointed two members for a period of two years, one member for three years and two members for four years, and thereafter all appointments shall be for a term of four years from the date of their appointment, unless sooner removed for any cause. Said mem-

bers shall not directly or indirectly participate in politics during their term of office.

Said board shall be styled "the State Board of Control." The members of said board during their term of office shall devote their time exclusively to the duties of their office, and the chairman shall reside in the county of Franklin and keep and maintain an office in the State Capitol building.

§ 2. That the board named in section 1 hereof is hereby invested with the authority to and it shall discharge all the powers, duties and privileges of the Board of Prison Commissioners and the State Board of Control for Charitable Institutions which are hereby abolished and the terms of office of the present members of same are hereby terminated.

§ 3. The chairman of said board shall receive for his services an annual salary of thirty-six hundred dollars and each of the other members of said board shall receive for his services an annual salary of three thousand dollars, to be paid monthly out of the State treasury upon a warrant issued by the Auditor.

§ 4. All laws and parts of laws in conflict herewith are hereby repealed.

The Committee on Rules offered the following amendments to said bill, viz.:

That Senate Bill No. 316 be amended as follows:

That in line 3 of section 2 of said bill the word "prison" be stricken out and the word "penitentiary" be inserted in lieu thereof.

And that after the word "Auditor" in line 5 of section 3 of said bill, and immediately following same, there be inserted "and their necessary traveling and other expenses while away from their legal residence in the discharge of their official duties," so that said bill when amended shall read as follows:

An act to create a State Board of Control for the management and supervision of the penal and eleemosynary institutions of this State to vest in said board all the powers, duties and privileges now vested by law in the Board of Control and the Board of Penitentiary Commissioners of the State of Kentucky, fixing the salaries of the members and terminating the terms of office of the members of said existing boards.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby created a commission to be composed of five members, all of whom shall be residents of the State of Kentucky, and not less than thirty years of age. They shall be appointed by the Governor, by and with the consent of the Senate, for a period of two years, and at the end of said two years there shall be appointed two members for a period of two years, one member for three years and two members for four years, and thereafter all appointments shall be for a term of four years from the date of their appointment, unless sooner removed for any cause. Said members shall not directly or indirectly participate in politics during their term of office.

Said board shall be styled "the State Board of Control." The members of said board during their term of office shall devote their time exclusively to the duties of their office, and the chairman shall reside in the county of Franklin and keep and maintain an office in the State Capitol building.

§ 2. That the board named in section 1 hereof is hereby invested with the authority to and it shall discharge all the powers, duties and privileges of the Board of Penitentiary Commissioners and the State Board of Control for Charitable Institutions which are hereby abolished and the terms of office of the present members of same are hereby terminated.

§ 3. The chairman of said board shall receive for his services an annual salary of thirty-six hundred dollars and each of the other members of said board shall receive for his services an annual salary of three thousand dollars, to be paid monthly out of the State treasury upon a warrant issued by the Auditor, and their necessary traveling and other expenses while away from their legal residence in the discharge of their official duties.

§ 4. All laws and parts of laws in conflict herewith are hereby repealed.

Said amendment was adopted.

The Committee on Rules offered the following amendment to the title of Senate Bill No. 316, viz.:

That the title to Senate Bill No. 316 be amended as follows:

That the word "prison" immediately following the word "of" in the title to said bill, be stricken out and the word "penitentiary" be inserted in lieu thereof, so that said title when amended shall read as follows:

An act to create a State Board of Control for the management and supervision of the penal and eleemosynary institutions of this State; to vest in said board all the powers, duties and privileges now vested by law in the Board of Control and the Board of Penitentiary Commissioners of the State of Kentucky, fixing the salaries of the members and terminating the terms of the office of the members of said existing boards.

Said amendment was adopted.

Mr. A. J. Oliver offered the following amendment to Senate Bill No. 316, viz.:

Amend section one of Senate Bill No. 316, as follows:

1. By striking out the word "five" in line two, and inserting in lieu thereof the word "four."

2. By adding, after the word "age" in line four, the following: two of whom shall be members of the political party which received the highest number of votes at the general State election next preceding their appointment, and the other two members shall be members of the political party which received the second highest number of votes at the general State election next preceding their appointment; and the membership of said board shall be always thus maintained.

Said amendment was disagreed to.

Mr. Phelps offered the following amendment to Senate Bill No. 316, viz.:

Amend Senate Bill No. 316 by striking out all of lines one to the word course, in line nine inclusive in section one, and by inserting in lieu thereof the following:

There is hereby created a commission to be composed of three members, all of whom shall be residents of the State of Kentucky and not less than thirty years of age. They shall be appointed by the Governor, by and with the consent of the Senate, for a period of two years, and at the end of said time there shall be appointed one member for a period of two years, one member for three years and one member for four years from the date of their appointment, unless sooner removed for good cause and thereafter all appointments shall be for a term of four years.

The yeas and nays being demanded by Messrs. Phelps and Murphy, on said amendment offered by Mr. Phelps were as follows, viz.:

Those who voted in the affirmative were—

L. D. Baldauf
Robert Bays
W. T. Beckham
Leroy Bonta
W. P. Bowman
J. L. Bradford
R. J. Cain
H. C. Chappell
Everett Cobb
John Cook
A. S. Cooper
Fred Cornelius
A. A. Demunbrun
Harry Dill
H. L. Dixon
L. L. Embry
I. H. Gabbard
L. B. Hamilton
B. H. Harris
David J. Howard
Joe Huddleston
A. R. Hudson
J. W. Johnson
Leslie P. Jones
W. H. Jones
H. A. Knollmann
W. T. Lasley
Joseph Lazarus
Clarence Miller
S. H. Moore
John T. Murphy
Ryland C. Musick
A. J. McCandless
H. C. McLellen
W. F. Paris
Lilburn Phelps
Luther Pieratt
Ote Piper
Richard Radcliffe
Avery Sartin
R. T. Smith
T. J. Smith
C. M. Thomas
Elmore Thomas
J. B. Thomas
J. T. Thornton
S. G. Thornberry
J. Wood Vance
F. C. VanHoose
G. C. Waggoner
E. G. Young

—51

Those who voted in the negative were—

Chas. Ashby
B. S. Bailey
J. H. Ballard
A. L. Baldwin
H. V. Bell
O. V. Brown
T. L. Caudel
W. P. Cropper
James S. Cruse
J. C. Davis
W. G. Dycus
F. A. Easterling
J. M. Elliston
Lark Garnett
W. H. Hager
J. S. Hall
A. L. Hamilton
E. C. Hardin
Chas. L. Hunter
Griffin Kelly
W. F. Klair
S. D. Laughlin
M. E. Lee
J. E. Lilly
Harry J. Meyers
Claude D. Minor
W. P. McDonogh
H. C. McGehee
S. Lee McGohan
W. B. O'Bannon
A. J. Oliver
T. P. Oliver
Lewis Ryans
Joe Schneider
Claude B. Smith
Thomas Spurrier
Ben Street
John W. Swope
W. F. Trusty
G. Frank Walthal
T. R. Welch
W. N. Winn

—42

And so said amendment was adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	M. E. Gilbert	A. J. McCandless
B. S. Bailey	W. H. Hager	W. P. McDonogh
L. D. Baldauf	J. S. Hall	H. C. McGehee
J. H. Ballard	L. B. Hamilton	S. Lee McGohan
Robert Bays	E. C. Hardin	H. C. McLellen
W. T. Beckham	B. H. Harris	W. B. O'Bannon
Leroy Bonta	David J. Howard	A. J. Oliver
J. L. Bradford	Joe Huddleston	T. P. Oliver
O. V. Brown	A. R. Hudson	W. F. Paris
R. J. Cain	Chas. L. Hunter	Lilburn Phelps
T. L. Caudel	Leslie P. Jones	Luther Pieratt
H. C. Chappell	W. H. Jones	Ote Piper
Everett Cobb	Griffin Kelly	Richard Radcliffe
John Cook	H. A. Knollmann	Avery Sartin
A. S. Cooper	W. T. Lasley	Joe Schneider
Fred Cornelius	S. D. Laughlin	Claude B. Smith
James S. Cruse	Joseph Lazarus	R. T. Smith
J. C. Davis	M. E. Lee	T. J. Smith
A. A. Demunbrun	J. E. Lilly	Ben Street
Harry Dill	Harry J. Meyers	John W. Swope
H. L. Dixon	Clarence Miller	C. M. Thomas
W. G. Dycus	Claude D. Minor	Elmore Thomas
J. M. Elliston	John T. Murphy	J. B. Thomas
I. H. Gabbard	Ryland C. Musick	S. G. Thornberry

W. F. Trusty	G. C. Waggoner	W. N. Winn	
J. Wood Vance	G. Frank Walthal	E. G. Young	
F. C. VanHoose	T. R. Welch		—80

Those who voted in the negative were—

W. P. Bowman	A. L. Hamilton	—3

Mr. Dill offered the following response to Joint Resolution No. 7, viz:

Your committee, appointed to investigate and report whether under the Constitution and Statutes it is permissible to establish a state printery, and utilize same for all public printing, including school books for free distribution, or at the cost thereof, and, if permissible under the law, whether such course would be advisable from an economic standpoint, desire to call attention to the fact that the resolution does not, even by implication, authorize your Committee to take time after final adjournment for consideration of the subject, or to report at the next session. On the contrary it seems to call for a report at this session.

The resolution was reported to and concurred in by the Senate on the day before yesterday. On yesterday the Senate members of the Committee were appointed and today the House members were appointed. Tomorrow is the day for sine die adjournment.

Therefore, the premises considered, your Committee beg to report that it is impossible, during the remainder of this session to give to the subject any consideration, and, for that reason, we beg to be relieved from assuming an impossible task.

We submit this as our report.

(Signed)

C. S. NUNN,
ROBERT SIMMONS,
CHARLES M. HARRIS,
Senators.

Said response was adopted.

Mr. Dill offered the following report in response to Joint Resolution No. 7, viz:

House Committee concurs in response to Joint Resolution No. 7 to the General Assembly of Kentucky, and asks that the following be attached and made a part of the recommendations of the Joint Committee.

That the Joint Committee to investigate and report upon the practicability and feasibility of establishing a state owned printing plant in which the printing for all state institutions can be produced and at the same time the plant to be used for the production of text books for free distribution recommends the following:

That the Governor of the State of Kentucky is hereby authorized to appoint three citizens of this Commonwealth, none of whom are at this time members of the General Assembly to investigate this question and to submit a report to the next General Assembly. Their services in this respect is to be voluntary and shall not cost the State of Kentucky one penny.

HARRY V. DILL,
L. PHELPS,
H. V. BELL,
H. C. MCLELLEN.

Mr. Phelps offered a report of the Committee heretofore appointed to investigate cost of printing, which report was

ordered received and filed, and to be printed as bills are printed.

And then the House recessed until seven-thirty o'clock P. M.

NIGHT SESSION.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz:

Ed. L. Allen
B. S. Bailey
L. D. Baldauf
J. H. Ballard
A. L. Baldwin
Robert Bays
W. T. Beckham
B. C. Beckmann
H. V. Bell
Leroy Bonta
W. P. Bowman
J. L. Bradford
O. V. Brown
R. J. Cain
T. L. Caudel
Everett Cobb
John Cook
A. S. Cooper
Fred Cornelius
W. P. Cropper
James S. Cruse
Harry Dill
W. G. Dycus
F. A. Easterling
J. M. Elliston
I. H. Gabbard
Lark Garnett
W. H. Hager
J. S. Hall
A. L. Hamilton
L. B. Hamilton
E. C. Hardin
David J. Howard
Joe Huddleston
Chas. L. Hunter
J. W. Johnson
Leslie P. Jones
W. H. Jones
Griffin Kelly
W. F. Klair
H. A. Knollmann
W. T. Lasley
S. D. Laughlin
Joseph Lazarus
M. E. Lee
J. E. Lilly
Harry J. Meyers
Clarence Miller
John T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
H. C. McGehee
S. Lee McGohan
H. C. McLellen
W. B. O'Bannon
A. J. Oliver
T. P. Oliver
W. F. Paris
Lilburn Phelps
H. C. Rice
Lewis Ryans
Avery Sartin
Joe Schneider
Claude B. Smith
R. T. Smith
T. J. Smith
Thomas Spurrier
John W. Swope
Claude M. Thomas
Elmore Thomas
G. F. Thompson
W. F. Trusty
J. Wood Vance
G. C. Waggoner
G. Frank Walthal
T. R. Welch
W. N. Winn
E. G. Young

—79

The House took up for consideration from the orders of the day a bill entitled:

S. B. 317. An act to enlarge and extend the powers, duties and privileges of the Insurance Commissioner, and providing for the appointment of a Superintendent of Fire Insurance Rates and prescribing his duties and fixing his salary, and abolishing the State Insurance Board, and attorney therefor.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby created in the Insurance Department the office of Superintendent of Fire Insurance Rates, who shall be appointed by the Auditor for a term of two years and thereafter for a term of four years and who is hereby invested with the authority to and shall discharge all the powers, duties and privileges conferred by law upon the State Insurance Board. Said superintendent shall reside in Franklin county, Kentucky, and shall devote his undivided time to the duties of his office. He shall be paid an annual salary of three thousand six hundred dollars, payable monthly by warrant of the Auditor drawn upon the Treasurer of this state.

§ 2. That section 762d of Carroll's edition of the Statutes of 1915, relating to the creation of State Insurance Board, the creation of secretary of said board and the appointment of an attorney therefor be, and the same is, hereby repealed and the office of the present incumbents are hereby terminated.

§ 3. Any sum paid by insurance companies, under the law now in operation, to maintain the rating board, in excess of expenses and salaries, under the law, shall be paid into the state treasury as general fund.

§ 4. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey
L. D. Baldauf
Robert Bays
W. T. Beckham
Leroy Bonta
W. P. Bowman
J. L Bradford
O. V. Brown
R. J. Cain
T. L. Caudel
Everett Cobb
A. S. Cooper
James S. Cruse
J. C. Davis
A. A. Demunbrun
W. G. Dycus
J. M. Elliston
I. H. Gabbard
Lark Garnett
W. H. Hager
L. B. Hamilton
E. C. Hardin
D. J. Howard
Joe Huddleston
J. W. Johnson
Leslie P. Jones
W. H. Jones
Griffin Kelly
H. A. Knollmann
S. D. Laughlin
Joseph Lazarus
M. E. Lee
J. E. Lilly
Clarence Miller
Claude D. Minor
John T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
S. Lee McGohan
W. B. O'Bannon
A. J. Oliver
T. P. Oliver
W. F. Paris
Lilburn Phelps
Luther Pieratt
Ote Piper
Richard Radcliffe
H. C. Rice
Avery Sartin
Claude B. Smith
R. T. Smith
T. J. Smith
Ben Street
John W. Swope
C. M. Thomas
Elmore Thomas
S. G. Thornberry
W. F. Trusty
J. Wood Vance
F. C. VanHoose
G. C. Waggoner
G. Frank Walthal
T. R. Welch
E. G. Young

—65

Those who voted in the negative were—

A. L. Baldwin	M. E. Gilbert	H. C. McGehee
B. C. Beckmann	J. S. Hall	Joe Schneider
W. P. Cropper	A. L. Hamilton	Thomas Spurrier
Harry Dill	W. F. Klair	W. N. Winn
F. A. Easterling	Harry J. Meyers	—14

Resolved, that the title thereof be as aforesaid.

Mr. Hardin moved to reconsider the vote by which Senate Bill 316 was passed.

Mr. Phelps moved that said motion lie on the table.

The yeas and nays being demanded on said last named motion by Messrs. Phelps and Murphy, were as follows, viz.:

Those who voted in the affirmative were—

L. D. Baldauf	David J. Howard	Richard Radcliffe
W. T. Beckham	Joe Huddleston	Avery Sartin
Leroy Bonta	Leslie P. Jones	R. T. Smith
J. L Bradford	Joseph Lazarus	T. J. Smith
Everett Cobb	Clarence Miller	John W. Swope
John Cook	John T. Murphy	C. M. Thomas
Fred Cornelius	Ryland C. Musick	Elmore Thomas
A. A. Demunbrun	A. J. McCandless	S. G. Thornberry
Harry Dill	H. C. McLellen	J. Wood Vance
I. H. Gabbard	Lilburn Phelps	F. C. VanHoose
J. S. Hall	Luther Pieratt	G. C. Waggoner
L. B. Hamilton	Ote Piper	—35

Those who voted in the negative were—

B. S. Bailey	H V. Bell	T. L. Caudel
J. H. Ballard	W. P. Bowman	W. P. Cropper
A. L. Baldwin	O. V. Brown	James S. Cruse
B. C. Beckmann	R. J. Cain	J C. Davis

W. G. Dycus
J. M. Elliston
Lark Garnett
W. H. Hager
A L Hamilton
E. C. Hardin
Chas. L. Hunter
J. W. Johnson
W. H. Jones
W. F. Klair
H. A. Knollmann
S. D. Laughlin
M. E. Lee
J. E. Lilly
Harry J. Meyers
Claude D. Minor
W. P. McDonogh
H. C. McGehee
S. Lee McGohan
W. B. O'Bannon
A. J. Oliver
T. P. Oliver
W. F. Paris
H. C. Rice
Lewis Ryans
Joe Schneider
Claude B. Smith
Thomas Spurrier
Ben Street
J. B. Thomas
W. F. Trusty
G. Frank Walthal
T. R. Welch
W. N. Winn
E. G. Young
—47

And so said last named motion was disagreed to.

The motion made by Mr. Hardin was then agreed to.

Mr. J. B. Thomas moved to reconsider the vote by which the amendment proposed by Mr. Phelps to Senate Bill 316 was adopted.

The yeas and nays being demanded on said motion by Messrs. Radcliffe and Waggoner were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey
J. H. Ballard
A. L. Baldwin
B. C. Beckmann
H. V. Bell
W. P. Bowman
O. V. Brown
T. L. Caudel
W. P. Cropper
James S. Cruse
J. C. Davis
W. G. Dycus
F. A. Easterling
J. M. Elliston
Lark Garnett
W. H. Hager
A. L. Hamilton
E. C. Hardin
Chas. L. Hunter
W. H. Jones
Griffin Kelly
W. F. Klair
H. A. Knollmann
S. D. Laughlin
M. E. Lee
J. E. Lilly
Harry J. Meyers
Claude D. Minor
W. P. McDonogh
H. C. McGehee
S. Lee McGohan
W. B. O'Bannon
A. J. Oliver
T. P. Olliver
W. F. Paris
H. C. Rice
Lewis Ryans
Joe Schneider
Claude B. Smith

Thomas Spurrier	W. F. Trusty	W. N. Winn
Ben Street	G. Frank Walthal	E. G. Young
J. B. Thomas	T. R. Welch	—47

Those who voted in the negative were—

L. D. Baldauf	D. J. Howard	Richard Radcliffe
W. T. Beckham	Joe Huddleston	Avery Sartin
Leroy Bonta	J. W. Johnson	R. T. Smith
J. L Bradford	Leslie P. Jones	T. J. Smith
R. J. Cain	Joseph Lazarus	John W. Swope
Everett Cobb	Clarence Miller	Claude M. Thomas
John Cook	John T. Murphy	Elmore Thomas
Fred Cornelius	Ryland C. Musick	S. G. Thornberry
A. A. Demunbrun	A. J. McCandless	J. Wood Vance
I. H. Gabbard	H. C. McLellen	F. C. VanHoose
J. S. Hall	Lilburn Phelps	G. C. Waggoner
L. B. Hamilton	Luther Pieratt	—35

And so said motion was agreed to.

The Speaker stated: The question now is upon the adoption of the amendment proposed by Mr. Phelps to Senate Bill 316.

Said amendment reads as follows, viz.:

Amend Senate Bill 316 by striking out all of lines 1 to the word clause, in line 9, inclusive, in section one, and by inserting in lieu thereof the following:

"There is hereby created a commission to be composed of three members, all of whom shall be residents of the state of Kentucky and not less than thirty years of age. They shall be appointed by the Governor, by and with the consent of the Senate, for a period of two years, and at the end of said time there shall be appointed one member for a period of two years, one member for three years and one member for

four years from the date of their appointment, unless sooner removed for good cause, and thereafter all appointments shall be for a term of four years."

The yeas and nays being demanded on the adoption of said amendment by Messrs. Phelps and Radcliffe, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	I. H. Gabbard	H. C. McLellen
L. D. Baldauf	M. E. Gilbert	Lilburn Phelps
Leroy Bonta	J. S. Hall	Luther Pieratt
W. T. Beckham	L. B. Hamilton	Ote Piper
Robert Bays	David J. Howard	Richard Radcliffe
W. P. Bowman	Joe Huddleston	Avery Sartin
J. L Bradford	J. W. Johnson	T. J. Smith
R. J. Cain	Leslie P. Jones	John W. Swope
Everett Cobb	H. A. Knollmann	Claude M. Thomas
John Cook	W. T. Lasley	Elmore Thomas
Fred Cornelius	Joseph Lazarus	S. G. Thornberry
W. P. Cropper	Clarence Miller	J. Wood Vance
A. A. Demunbrun	John T. Murphy	F. C. VanHoose
Harry Dill	Ryland C. Musick	G. C. Waggoner
H. L. Dixon	A. J. McCandless	—44

Those who voted in the negative were—

Chas. Ashby	W. G. Dycus	S. D. Laughlin
B. S. Bailey	F. A. Easterling	M. E. Lee
J. H. Ballard	J. M. Elliston	J. E. Lilly
A. L. Baldwin	Lark Garnett	Harry J. Meyers
B. C. Beckmann	W. H. Hager	Claude D. Minor
H V. Bell	A. L. Hamilton	W. P. McDonogh
O. V. Brown	E. C. Hardin	H. C. McGehee
T. L. Caudel	Chas. L. Hunter	S. Lee McGehan
H. C. Chappell	W. H. Jones	W. B. O'Bannon
James S. Cruse	Griffin Kelly	A. J. Oliver
J. C. Davis	W. F. Klair	T. P. Oliver

W. F. Paris	R. T. Smith	G. Frank Walthal
H. C. Rice	Thomas Spurrier	T. R. Welch
Lewis Ryans	Ben Street	W. N. Winn
Joe Schneider	J. B. Thomas	E. G. Young
Claude B. Smith	W. F. Trusty	—47

And so said amendment was disagreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and, as amended, was passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	Harry Dill	J. E. Lilly
B. S. Bailey	W. G. Dycus	Harry J. Meyers
L. D. Baldauf	F. A. Easterling	Clarence Miller
J. H. Ballard	J. M. Elliston	Claude D. Minor
Robert Bays	J. H. Gabbard	John T. Murphy
W. T. Beckham	Clark Garnett	Ryland C. Musick
B. C. Beckmann	M. E. Gilbert	W. P. McDonogh
H. V. Bell	W. H. Hager	H. C. McGehee
Leroy Bonta	L. B. Hamilton	S. Lee McGohan
W. P. Bowman	E. C. Hardin	H. C. McLellen
J. L. Bradford	David J. Howard	W. B. O'Bannon
O. V. Brown	Joe Huddleston	A. J. Oliver
R. J. Cain	Chas. L. Hunter	T. P. Oliver
T. L. Caudel	J. W. Johnson	W. F. Paris
Everett Cobb	Leslie P. Jones	Lilburn Phelps
Fred Cornelius	W. H. Jones	Luther Pieratt
W. P. Cropper	W. T. Lasley	Ote Piper
James S. Cruse	S. D. Laughlin	Richard Radcliffe
J. C. Davis	Joseph Lazarus	H. C. Rice
A. A. Demunbrun	M. E. Lee	Lewis Ryans

Avery Sartin	Claude M. Thomas	G. C. Waggoner
Joe Schneider	Elmore Thomas	G. Frank Walthal
Claude B. Smith	J. B. Thomas	T. R. Welch
R. T. Smith	S. G. Thornberry	W. N. Winn
T. J. Smith	W. F. Trusty	E. G. Young
Ben Street	J. Wood Vance	
John W. Swope	F. C. VanHoose	—79

Those who voted in the negative were—

John Cook	H. A. Knollmann	A. J. McCandless
W. F. Klair		—4

Mr. L. B. Hamilton offered the following amendment to said bill, viz.:

Resolved, that the title thereof be as amended.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 102. An act to amend section 2751, Kentucky Statutes, Carroll's edition of 1915, providing for the publication of general ordinances of cities of the first class, being a part of an act entitled "An act for the government of cities of the first class," approved July 1, 1893.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 2751 of the Kentucky Statutes, Carroll's edition of 1915, providing for the publication of general ordinances of cities of the first class, being a part of an act entitled, "An act for the government of cities of the first class," approved July 1, 1893, be, and the same is, hereby amended as follows, to-wit: That the following words be stricken from said section: "After which time there shall be

a biennial publication of the general ordinances of the city, and no general ordinance shall be operative unless included and published in said biennial compilations, or unless passed subsequent to the last biennial publication;" and in lieu thereof the following words be inserted: "Hereafter there shall be published for the year 1919, and every four years thereafter, a compilation or codification of the general ordinances of the city, and hereafter there shall also be published for the year 1917, and every four years thereafter a supplemental compilation or codification, which shall contain all the general ordinances which have been passed since the previous compilation. No general ordinance shall be operative unless included or published in said compilation or supplemental compilation, or unless passed subsequent to the last compilation or supplemental compilation;" so that said section when amended, shall read as follows:

"Section 2751. All general ordinances of the city now in force and not in conflict with this act, shall continue in force until repealed by the general council, but not longer than two years from the first election of the general council under this act. Hereafter there shall be published for the year 1919, and every four years thereafter a compilation or codification of the general ordinances of the city, and hereafter there shall also be published for the year 1917, and every four years thereafter a supplemental compilation or codification, which shall contain all the general ordinances which have been passed since the previous compilation. No general ordinance shall be operative unless included or published in said compilation or supplemental compilation, or unless passed subsequent to the last compilation or supplemental compilation. Immediately after the passage of this act the city attorney shall codify the general ordinances of the city, and add thereto such provisions as may be necessary to carry out the purposes of this act. The code so prepared shall be promptly transmitted to the mayor and general council."

§ 2. This act shall take effect from and after its passage.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its tite and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	A. L. Hamilton	H. C. McGehee
Chas. Ashby	L. B. Hamilton	S. Lee McGohan
B. S. Bailey	E. C. Hardin	H. C. McLellen
L. D. Baldauf	David J. Howard	W. B. O'Bannon
W. T. Beckham	Joe Huddleston	A. J. Oliver
B. C. Beckmann	Chas. L. Hunter	W. F. Paris
H. V. Bell	J. W. Johnson	Lilburn Phelps
Leroy Bonta	Leslie P. Jones	Luther Pieratt
W. P. Bowman	W. H. Jones	Ote Piper
J. L Bradford	W. F. Klair	Richard Radcliffe
O. V. Brown	H. A. Knollmann	Avery Sartin
R. J. Cain	S. D. Laughlin	Joe Schneider
T. L. Caudel	Joseph Lazarus	Claude B. Smith
H. C. Chappell	M. E. Lee	R. T. Smith
Everett Cobb	J. E. Lilly	John W. Swope
John Cook	Harry J. Meyers	C. M. Thomas
Fred Cornelius	Clarence Miller	Elmore Thomas
W. P. Cropper	Claude D. Minor	W. F. Trusty
W. G. Dycus	John T. Murphy	J. Wood Vance
F. A. Easterling	Ryland C. Musick	F. C. VanHoose
Lark Garnett	A. J. McCandless	G. Frank Walthal
J. S. Hall	W. P. McDonogh	E. G. Young

—66

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 186. An act to require incorporated cities and towns to maintain government by the election of officers and the levying and collection of taxes of such cities and towns and providing for forfeiture of charter and manner of proceeding therein.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. If any incorporated city or town in this Commonwealth shall fail for the period of one year to maintain city or town government by the election or appointment of city or town officers and the levying and collection of taxes for the maintenance of the streets and alleys of such city or town, its charter shall be forfeited.

§ 2. Any bona fide resident of the county in which such incorporated city or town is located may petition the circuit court or proper jurisdiction and upon the proof of such failure to maintain the government of such city or town as set out in section 1 of this act, the circuit judge hearing such proof shall declare the charter of such city or town forfeited.

§ 3. All laws or parts of laws in conflict with this act are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

There voted in the negative—

B. S. Bailey	I. H. Gabbard	H. C. McGehee
J. H. Ballard	Lark Garnett	H. C. McLellen
Robert Bays	J. S. Hall	A. J. Oliver
W. T. Beckham	A. L. Hamilton	T. P. Oliver
B. C. Beckmann	L. B. Hamilton	W. F. Paris
H. V. Bell	E. C. Hardin	Lilburn Phelps
Leroy Bonta	D. J. Howard	Luther Pieratt
W. P. Bowman	Joe Huddleston	Ote Piper
J. L Bradford	Chas. L. Hunter	Richard Radcliffe
O. V. Brown	J. W. Johnson	Avery Sartin
R. J. Cain	Leslie P. Jones	Claude B. Smith
T. L. Caudel	W. F. Klair	R. T. Smith
Everett Cobb	H. A. Knollmann	John W. Swope
John Cook	S. D. Laughlin	C. M. Thomas
Fred Cornelius	Joseph Lazarus	J. Wood Vance
W. P. Cropper	M. E. Lee	F. C. VanHoose
H. L. Dixon	Harry J. Meyers	G. C. Waggoner
W. G. Dycus	Claude D. Minor	G. Frank Walthal
F. A. Easterling	John T. Murphy	W. N. Winn
J. M. Elliston	W. P. McDonogh	E. G. Young

—60

There voted in the negative—

Elmore Thomas —1

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 307. An act to amend section 513 of the Kentucky Statutes, Carroll's edition of 1915, relating to the indexing of records of county clerks.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section five hundred and thirteen of the Kentucky Statutes (Carroll's edition of nineteen hundred and fifteen), be, and the same is, hereby amended and re-enacted to read as follows:

Section 513. Cross-index of Conveyance to Be Kept—Duty of Clerk Concerning.—The clerk of each county court shall make and keep an alphabetical cross-index of all conveyances heretofore or hereafter recorded in his office, and he shall, when a mortgage or deed of trust, or any other conveyance, lease or contract is lodged in his office for record, at once, and before attending to any other business, place the names of the parties to the same upon the cross-index in his office, and shall, within six days thereafter, record the same; provided, however, that in counties wherein there has been created by law a court house district and provision made for appointment of commissioners in said district, the said commissioners may direct that the clerk of such county shall, in said district, in addition to the alphabetical cross-index, have made in books prepared for that purpose, general indexes to

the records of all the real estate in said district, by placing under the heads of the original surveyed sections or surveys, or parts of a section or survey, squares, subdivisions or lots on the left page of such index book, first a plat showing the survey, or part of section thereof, subdivision, square or lots indicated on said page; second, the name of the grantor or grantors; third, next to the right the name of the grantee or grantees; fourth, the number and page of the record where the instrument is found recorded; fifth, the character of the instrument, to be followed by a pertinent description of the property conveyed by the deed, lease or assignment of lease or other instrument of writing affecting the lot or land described, and on the opposite page, in like manner, all the mortgages, liens or other encumbrances affecting said real estate.

The clerk of such county shall, when so directed by said commissioners, prepare the proper specifications for said additional indexing system to bring up and complete said system to the date said new system shall be installed. He shall advertise for bids for said work under the specifications prepared and shall, with the approval of said commissioners, enter into a contract with the lowest and best bidder for said work, and shall, before entering into contract with the successful bidder, require him to give bond for the faithful performance of said contract in a sum to be fixed by the said commissioners and said board to be approved by said commissioners.

The cost or expense of said work shall be paid out of the funds of said court house district.

When general indexes, such as herein provided for, are brought up and completed, they shall constitute the official indexes and the clerk of the county shall keep up the same by indexing in said general indexes within one month from the time they are lodged for record, and when so indexed the alphabetical cross-index of such instruments need no longer

be preserved, and when such records or any part of them, become defaced or injured, the clerk shall transcribe the same into new books, which shall be as valid in law as the original record, and transcript therefrom shall be received and taken as of the same force and effect; the cost of such transcription shall be paid for out of the funds of said court house district.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	H. L. Dixon	A. J. McCandless
B. S. Bailey	W. G. Dycus	W. P. McDonogh
J. H. Ballard	J. M. Elliston	H. C. McGehee
Robert Bays	I. H. Gabbard	A. J. Oliver
W. T. Beckham	Lark Garnett	W. F. Paris
B. C. Beckmann	L. B. Hamilton	Lilburn Phelps
H. V. Bell	Joe Huddleston	Luther Pieratt
Leroy Bonta	Chas. L. Hunter	Ote Piper
J L Bradford	J. W. Johnson	Avery Sartin
O. V. Brown	W. H. Jones	Joe Schneider
R. J. Cain	W. F. Klair	Claude B. Smith
T. L. Caudel	H. A. Knollmann	R. T. Smith
H. C. Chappell	S. D. Laughlin	C. M. Thomas
Everett Cobb	J. E. Lilly	Elmore Thomas
John Cook	Harry J. Meyers	S. G. Thornberry
Fred Cornelius	Clarence Miller	W. F. Trusty
W. P. Cropper	Claude D. Minor	J. Wood Vance
James S. Cruse	John T. Murphy	F. C. VanHoose
A. A. Demunbrun	Ryland C. Musick	W. N. Winn

—57

Those who voted in the negative were—

A. L. Hamilton	T. P. Oliver	J. B. Thomas
D. J. Howard	John W. Swope	—5

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 279. An act relating to banks and banking, being an act to amend section 579, Kentucky Statutes, Carroll's edition 1915, entitled: Business—when may begin—powers of corporation.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 579 of the Kentucky Statutes, compiled and edited by John D. Carroll, and issued in the year one thousand nine hundred and fifteen, be, and the same is hereby amended and re-enacted by adding to said section the following language:

"Any bank or trust company may accept for payment at a future date drafts or bills of exchange drawn upon it by its customers and issue letters of credit authorizing the holders thereof to draw drafts upon it or its correspondents at sight or on time, not exceeding one year, and may also accept drafts or bills of exchange drawn upon it, having not more than six months sight to run, growing out of transactions involving

the importation and exportation of goods; and any bank or trust company may discount acceptances which are based upon the importation or exportation of goods and which have a maturity at time of discount of not more than three months and are endorsed by at least one other bank or trust company; but no bank or trust company shall accept such drafts or bills of exchange to an amount equal at any time in the aggregate to more than one-half of its paid-up and unimpaired capital stock and surplus, except by authority of the Banking Commissioner under such general regulations as said commissioner may prescribe, and in no event to an amount exceeding the capital stock and surplus of such bank or trust company; and such regulations shall apply to all banks and trust companies alike regardless of the amount of capital stock and surplus." So that said section when amended and re-enacted shall read as follows:

"When the articles are filed and recorded as above provided, it may commence business, and shall thereupon become a body corporate, and to be known by and carry on its business in its corporate name, and as such shall have power to adopt and use a corporate seal; to make contracts; sue and be sued; to appoint, remove and elect officers, define their duties, and require from any of them a bond for the faithful discharge of their duties; to perscribe, by its board of directors, by-laws for the government of the bank not inconsistent with law; to exercise, subject to law, such powers as may be necessary to carry on the business of banking by discounting and negotiating notes, drafts, bills of exchange, and other evidences of debt, and purchasing bonds, receiving deposits, and allowing interest thereon, buying and selling exchange, coin and bullion, and lending money on personal or real security as provided in this article. Any bank or trust company may accept for payment at a future date drafts or bills of exchange drawn upon it by its customerss and issue letters of credit authorizing the holders thereof to draw drafts upon it

or its correspondents at sight or on time, not exceeding one year, and may also accept drafts or bills of exchange drawn upon it, having not more than six months sight to run, growing out of transactions involving the importation and exportation of goods; and any bank or trust company may discount acceptances which are based upon the importation or exportation of goods and which have a maturity at time of discount of not more than three months and are endorsed by at least one other bank or trust company; but no bank or trust company shall accept such drafts or bills of exchange to an amount equal at any time in the aggregate to more than one-half of its paid-up and unimpaired capital stock and surplus, except by authority of the Banking Commissioner under such general regulations as said commissioner may prescribe, and in no event to an amount exceeding the capital stock and surplus of such bank or trust company; and such regulations shall apply to all banks or trust companies alike regardless of the amount of capital stock and "surplus."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	H. V. Bell	T. L. Caudel
Chas. Ashby	Leroy Bonta	H. C. Chappell
J. H. Ballard	J. L Bradford	Everett Cobb
Robert Bays	O. V. Brown	Fred Cornelius
B. C. Beckmann	R. J. Cain	W. P. Cropper

James S. Cruse	H. A. Knollmann	Ote Piper
A. A. Demunbrun	Joseph Lazarus	Richard Radcliffe
H. L. Dixon	Harry J. Meyers	Lewis Ryans
W. G. Dycus	Clarence Miller	Avery Sartin
F. A. Easterling	Claude D. Minor	Joe Schneider
J. M. Elliston	John T. Murphy	Claude B. Smith
I. H. Gabbard	Ryland C. Musick	R. T. Smith
Lark Garnett	A. J. McCandless	Thomas Spurrier
M. E. Gilbert	W. P. McDonogh	John W. Swope
L B Hamilton	W. B. O'Bannon	Claude M. Thomas
J. W. Johnson	A. J. Oliver	W. F. Trusty
W. H. Jones	T. P. Oliver	J. Wood Vance
Griffin Kelly	W. F. Paris	F. C. VanHoose
W. F. Klair	Luther Pieratt	G. C. Waggoner

—57

There voted in the negative—

Elmore Thomas —1

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 280. An act relating to banks and banking, being an act to amend section 583, Kentucky Statutes, Carroll's edition 1915, entitled: Indebtedness of persons—highest amount permitted.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 593 of the Kentucky Statutes, compiled and edited by John D. Carroll, and issued in the year one thousand nine hundred and fifteen, be and the same hereby is amended and re-enacted by adding to said section the following language:

"Provided, that the discount of bills of exchange drawn against actually existing value and the purchase of discounting of commercial or business paper actually owned by the person negotiating the same shall not be considered as borrowed money within the meaning of this section in fixing the limit of indebtedness of any person, firm or corporation, selling or negotiating said paper to the bank." So that said section, when amended and re-enacted, shall read as follows:

"No bank shall permit any of its stockholders, or any person, company or firm, including in the liability of the company or firm the liability of the individual member thereof, directly or indirectly, to become indebted to it in a sum exceeding twenty per cent of its capital stock actually paid in, and its actual amount of surplus, unless such borrower pledge with it good collateral security, or execute to it a mortgage upon real or personal estate, which at the time is of more than cash value of such loan or indebtedness above all other incumbrances, and if the borrower is a director or officer of such bank, he shall not be permitted to become indebted to it in excess of ten per cent of its paid-up capital stock, without securing the excess by the mortgage or pledge of real or personal property double in value the amount of such excess; and in no event shall the indebtedness of any person, company or firm, including in the liability of the company or firm the liability of the individual members thereof, exceed thirty per cent of its paid-up capital and actual surplus; provided, that the discount of bills of exchange drawn

against actually existing value and the purchase or discounting of commercial or business paper actually owned by the person negotiating the same shall not be considered as borrowed money within the meaning of this section in fixing the limit of indebtedness of any person, firm or corporation, selling or negotiating said paper to the bank."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

There voted in the negative—

Ed. L. Allen	M. E. Gilbert	H. C. McGehee
J. H. Ballard	J. S. Hall	W. B. O'Bannon
W. T. Beckham	A. L. Hamilton	A. J. Oliver
B. C. Beckmann	L. B. Hamilton	W. F. Paris
H. V. Bell	J. W. Johnson	Luther Pieratt
Leroy Bonta	W. H. Jones	Ote Piper
J. L Bradford	Griffin Kelly	Lewis Ryans
O. V. Brown	W. F. Klair	Joe Schneider
T. L. Caudel	H. A. Knollmann	R. T. Smith
Everett Cobb	Joseph Lazarus	T. J. Smith
W. P. Cropper	Harry J. Meyers	John W. Swope
James S. Cruse	Clarence Miller	W. F. Trusty
H. L. Dixon	Claude D. Minor	J. Wood Vance
W. G. Dycus	John T. Murphy	G. C. Waggoner
F. A. Easterling	Ryland C. Musick	G. Frank Walthal
I. H. Gabbard	A. J. McCandless	T. R. Welch
Lark Garnett	W. P. McDonogh	—50

There voted in the negative—

Elmore Thomas —1

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 48. An act to amend and re-enact section 4023 of the Kentucky Statutes, Carroll's edition, 1915, relating to revenue and taxation.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 4032 of the Kentucky Statutes, Carroll's edition, 1915, relating to revenue and taxation, be, and is, hereby amended by striking out the following:

"And provided, that if the property be sold before February 1st of the year in which taxes are due and payable, then, as between the purchaser and the seller, and in absence of any contract to the contrary, it shall be the duty of the purchaser of the property to pay the taxes thereon, and if the property is sold after February 1st, in the year in which taxes are due and payable, it shall be the duty of the seller to pay the taxes thereon.

"And, provided further, that this act shall not be retroactive in its effect and shall not affect any taxes now due or for ..... years prior to the passage of this act."

Said section, when so amended and re-enacted, shall read as follows:

"4023-(5). Respective Duties of Holders of Equitable ad Legal Title—Fiduciaries.—The holder of the legal title,

and the holder of the equitable title, and the claimant or bailee in possession of the property on the first day of July of the year the assessment is made, shall be liable for taxes thereon; but, as between themselves, it shall be the duty of the holder of the equitable title to list the property and pay the taxes thereon, whether the property be in possession or not at the time of payment.

"Provided, however, that an administrator, executor, trustee, committee, curator or agent residing in the state shall not be liable for taxes on intangible personal property, where the real or beneficial owner of such intangible personal property, held by them or any of them, resides outside of the state, but this exemption shall not apply in the case of an executor or administrator in the exercise of his office as personal representative while the estate of a deceased person is in process of settlement and before the share of the non-resident legatee or beneficiary is set apart to him, or before said legatee is entitled to be paid his share."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	B. C. Beckmann	A. S Cooper
Chas. Ashby	Leroy Bonta	Fred Cornelius
B. S. Bailey	J. L Bradford	W. P. Cropper
L. D. Baldauf	O. V. Brown	James S. Cruse
J. H. Ballard	T. L. Caudel	J. C. Davis
Robert Bays	Everett Cobb	A. A. Demunbrun

Harry Dill	W. T. Lasley	Avery Sartin
H. L. Dixon	S. D. Laughlin	Joe Schneider
W. G. Dycus	Joseph Lazarus	Claude B. Smith
F. A. Easterling	M. E. Lee	R. T. Smith
I. H. Gabbard	Harry J. Meyers	Thomas Spurrier
Lark Garnett	John T. Murphy	C. M. Thomas
M. E. Gilbert	Ryland C. Musick	W. F. Trusty
J. S. Hall	A. J. McCandless	J. Wood Vance
A. L. Hamilton	W. P. McDonogh	G. C. Waggoner
L. B. Hamilton	H. C. McGehee	G. Frank Walthal
Leslie P. Jones	A. J. Oliver	T. R. Welch
W. H. Jones	W. F. Paris	W. N. Winn
W. F. Klair	Richard Radcliffe	E. G. Young
H. A. Knollmann	Lewis Ryans	—59

Those who voted in the negative were—

W. T. Beckham	J. W. Johnson	John W. Swope
John Cook	Griffin Kelly	Elmore Thomas
D. J. Howard	Clarence Miller	—8

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 105. An act to provide an automobile for the use of Commonwealth's attorneys for districts containing cities of the first class, and authorizing the fiscal court of counties containing such districts to furnish and provide for the same and the upkeep of same.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in all counties in this Commonwealth containing cities of the first class, the fiscal court shall provide for the use of the Commonwealth's attorney of said district, to assist him in his official duties, an automobile, which shall be paid for out of the county levy of said county, and all necessary expenses incurred in running and conducting, keeping and repairing said automobile for official work, shall be paid out of the county levy upon requisition for such expenses of said Commonwealth's attorney on the fiscal court of said county.

Mr. L. B. Hamilton offered the following amendment to said bill, viz:

Amend Senate Bill No. 105, line eight, by inserting the following: Provided the said automobile furnished by the fiscal court shall be a Ford automobile.

Said amendment was disagreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	B. S. Bailey	B. C. Beckmann
Chas. Ashby	J. H. Ballard	H. V. Bell

C. V. Brown	Griffin Kelly	Joe Schneider
W. P. Cropper	W. F. Klair	Claude B. Smith
James S. Cruse	H. A. Knollmann	Thomas Spurrier
H. L. Dixon	M. E. Lee	Ben Street
W. G. Dycus	J. E. Lilly	J. T. Thornton
J. M. Elliston	Harry J. Meyers	W. F. Trusty
Lark Garnett	W. P. McDonogh	G. Frank Walthal
J. S. Hall	H. C. McGehee	T. R. Welch
A. L. Hamilton	S. Lee McGohan	W. N. Winn
E. C. Hardin	W. B. O'Bannon	E. G. Young
Chas. L. Hunter	A. J. Oliver	
J. W. Johnson	Lewis Ryans	—40

Those who voted in the negative were—

L. D. Baldauf	L. B. Hamilton	Luther Pieratt
Robert Bays	D. J. Howard	Avery Sartin
W. T. Beckham	Joe Huddleston	R. T. Smith
Leroy Bonta	Leslie P. Jones	T. J. Smith
R. J. Cain	W. H. Jones	C. M. Thomas
Everett Cobb	Joseph Lazarus	Elmore Thomas
John Cook	Clarence Miller	S. G. Thornberry
Fred Cornelius	John T. Murphy	J. Wood Vance
F. A. Easterling	A. J. McCandless	
I. H. Gabbard	W. F. Paris	—28

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 244. An act to repeal and re-enact chapter 67 of the Acts of the General Assembly of 1910 relating to courts of justice.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 67 of the Acts of the General Assembly of 1910 (page 205) be, and the same is, now repealed, and that same be re-enacted and when so re-enacted shall read as follows:

(13) The office of janitor of the Court of Appeals is hereby abolished. The judges may appoint a sergeant-at-arms, tipstaff and bailiff, who shall each hold office during the pleasure of the court, and perform any and all duties that may be required of them by the court. The sergeant-at-arms shall receive five dollars per day, the tipstaff and bailiff shall receive four dollars per day, respectively, to be paid monthly out of the treasury as other salaries are paid.

§ 2. All laws or parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	H. V. Bell	T. L. Caudel
Chas. Ashby	Leroy Bonta	Everett Cobb
B. S. Bailey	J. L Bradford	John Cook
W. T. Beckham	O. V. Brown	Fred Cornelius
B. C. Beckmann	R. J. Cain	A. A. Demunbrun

H. L. Dixon	H. A. Knollmann	Claude B. Smith
W. G. Dycus	M. E. Lee	T. J. Smith
F. A. Easterling	J. E. Lilly	Ben Street
J. M. Elliston	Harry J. Meyers	John W. Swope
I H. Gabbard	John T. Murphy	C. M. Thomas
Lark Garnett	W. P. McDonogh	W. F. Trusty
A. L. Hamilton	H. C. McGehee	J. Wood Vance
L. B. Hamilton	S. Lee McGohan	F. C. VanHoose
E. C. Hardin	A. J. Oliver	G. C. Waggoner
Joe Huddleston	Luther Pieratt	G. Frank Walthal
J. W. Johnson	Ote Piper	T. R. Welch
Leslie P. Jones	Richard Radcliffe	E. G. Young
W. H. Jones	Lewis Ryans	
Griffin Kelly	Joe Schneider	—55

Those who voted in the negative were—

Avery Sartin	R. T. Smith	—2

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 342. An act to more clearly define the method and procedure for the imposition of inheritance taxes on contintingent interests or estates and to amend sections 4281a to 4281s, both inclusive, Kentucky Statutes, Carroll's 1915 edition, and chapter 26 of the Acts of 1916, by prescribing the rate of tax and the method of collecting same on contingent interests or estates and providing for a refund upon the happening of the contingency to persons who are required to pay a less amount than the tax imposed and paid.

Said bill reads as follows, viz.:

Whereas, the rates of taxation imposed by the laws of this Commonwealth upon inheritance and transfers are based on the classification of persons who are the transferees thereof; and,

Whereas, it was and is the intent of the General Assembly of this Commonwealth that when property is transferred in trust or otherwise, and the rights, interests or estates of the transferees are dependent upon contingencies or conditions whereby they may be wholly or in part created, defeated, extended or abridged, a tax shall be imposed upon such transfer at the highest rate which, on the happening of any of the said contingencies or conditions, would be possible under the existing laws, and such tax shall be due and payable forthwith out of the property transferred; and,

Whereas, such provisions will cause hardships in cases where the property ultimately vests in persons who are liable to a lower rate of taxation under the classification aforesaid, and some provision should therefore be made to refund the taxes so paid in excess; and,

Whereas, some uncertainty has arisen as to the proper method and procedure of imposing and collecting the taxes on said contingent interests and estates, and the public welfare requires that such uncertainty be removed by a clearer statement from the law making body of this Commonwealth; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. When property is transferred in trust or otherwise, and the rights, interests or estates of the transferees are dependent upon contingencies or conditions whereby they may be wholly or in part created, defeated, extended or abridged,

a tax shall be imposed upon such transfer at the highest rate which, upon the happening of any of said contingencies or conditions would be possible under the provisions of this act, and such tax so imposed shall be due and payable forthwith by the administrators, executors or trustees out of the property transferred, provided, however, that on the happening of any contingency whereby the said property or any part thereof is transferred to a person or corporation exempt from taxation under the provisions of the inheritance tax laws of this state or to a person taxable at a less rate than the rate imposed and paid, such person or corporation shall be entitled to a return of so much of the tax imposed and paid as is the difference between the amount paid and the amount which such person or corporation shall pay under the classification and provisions of chapter 26 of the Acts of 1916, together with legal interest from the time of such payment; provided, further, that the bond provided for in section 4281b of the Kentucky Statutes (Carroll's 1915 edition) shall not apply to the provisions of this act.

§ 2. The provisions of this act shall apply to the estates of all decedents which have not been actually disturbed under orders of a court of competent jurisdiction and also to property which is transferred in trust or otherwise and the rights, interests and estates of the transferees are now contingent as set out in section 1 hereof, and shall apply also to the estates of all other persons who may die after this act takes effect, but the provisions of this act shall not apply to the estate of any person who died prior to January 1st, 1916.

§ 3. If any part of this act shall be held to be unconstitutional that fact shall not affect any other part of the act, it being the intention of the General Assembly to enact each part of this bill separately.

§ 4. Whereas there are many estates of decedents now in the process of administration by the courts of this state,

and there seems to be some uncertainty as to the method and procedure of imposing and collecting the taxes on contingent interests and estates as set out in section 1 hereof, an emergency is therefore declared to exist and this act shall take effect from and after its passage.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	J. S. Hall	S. Lee McGohan
B. S. Bailey	A. L. Hamilton	W. B. O'Bannon
J. H. Ballard	L. B. Hamilton	A. J. Oliver
A. L. Baldwin	E. C. Hardin	T. P. Oliver
B. C. Beckmann	D. J. Howard	W. F. Paris
H. V. Bell	Joe Huddleston	Lilburn Phelps
Leroy Bonta	Chas. L. Hunter	Ote Piper
W. P. Bowman	J. W. Johnson	Richard Radcliffe
O. V. Brown	Leslie P. Jones	Joe Schneider
R. J. Cain	W. H. Jones	T. J. Smith
T. L. Caudel	Griffin Kelly	Thomas Spurrier
H. C. Chappell	W. F. Klair	Ben Street
John Cook	H. A. Knollmann	Elmore Thomas
A. A. Demunbrun	S. D. Laughlin	J. Wood Vance
H. L. Dixon	Joseph Lazarus	F. C. VanHoose
W. G. Dycus	M. E. Lee	G. C. Waggoner
F. A. Easterling	J. E. Lilly	G. Frank Walthal
J. M. Elliston	Harry J. Meyers	T. R. Welch
I. H. Gabbard	A. J. McCandless	W. N. Winn
Lark Garnett	W. P. McDonogh	E. G. Young
M. E. Gilbert	H. C. McGehee	—62

Those who voted in the negative were—

L. D. Baldauf	Fred Cornelius	R. T. Smith
W. T. Beckham	John T. Murphy	C. M. Thomas

—6

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 193. An act authorizing the State Board of Education to issue certificates to teach to students of educational institutions not supported by state funds within the state of Kentucky, creating a board of regents to inspect normal schools for determining what institutions are entitled to such privileges; defining the conditions under which such privileges shall be granted, and repealing all laws or parts of laws in conflict therewith.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Whenever any university, college or normal school in this state that is not conducted for private gain, shall have a course of study equal in extent and equivalent in the same sense that the course of study of the two State Normal Schools are equivalent in subjects to either the elementary course or the intermediate course or the advanced course of the State Normal Schools, and shall have full and ample equipment and a faculty of competent instructors actually giving approved instruction in the branches contained in said

course, and equivalent to that given in the State Normal Schools, a student who shall have completed any of these courses may be granted by the State Board of Education an elementary certificate, or an intermediate certificate or an advanced certificates of the same tenor and effect as the certificate to teach issued to the students who have completed the elementary course or the intermediate course or the advanced course, respectively, of the State Normal Schools.

Provided, that the completion of such a course shall have been certified by the institution in which the student has completed the course.

Provided, further, that no certificate shall, under the provisions of this act, be issued to any applicant who has not completed the equivalent of the 10th grade of the public schools.

§ 2. The determination of the question as to what institutions are entitled to the privilege set forth in the preceding section of this act shall be in the hands of a board to be known as the Board of Regents for Normal School Inspection, to be composed of the State Superintendent of Public Instruction, ex-officio member and chairman, and four members to be appointed by the Governor of the state as follows: One member from the faculty of the Department of Education of the University of Kentucky, one member from the faculty of each State Normal School and one member from the faculty of the normal school of a city of the first class. Two of the members first appointed to serve for a period of two years and two for a period of four years and thereafter all members to serve for a period of four years.

Provided that not more than two appointive members shall be from the same political party and no two members of the same church.

No institution shall be entitled to the privileges conferred by the preceding section of this act unless the following requirements have been fulfilled.

First. Such institution shall be fully incorporated and the corporation shall have at least $50,000 invested and available for use in the school.

Second. Such institution shall be a member of the Kentucky Association of Colleges and Universities, or on the list of the accredited secondary schools and junior colleges of the University of Kentucky.

Third. This act shall not apply to any institution supported in whole or in part by state funds.

The State Superintendent of Public Instruction shall, upon request of any institution desiring recognition under section 1 of this act, direct the above named commission to inspect the institution and to report within sixty days upon its application. Each year the State Board of Education shall satisfy itself that the requirements of this act have been met before any certificate shall be granted the students of such institution.

§ 3. The expenses of inspection shall be borne by the institution asking for recognition under the provisions of this act. All schools asking privileges under the provisions of this bill shall be subject to the lawful authority and inspection of the State Inspector and Examiner so far as the faithful enforcement of the course of study is concerned.

The Board of Regents, provided for in this act, shall have power to make all needful rules and regulations to carry into effect the provisions of this act.

§ 4. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	Lark Garnett	T. P. Oliver
Chas. Ashby	J. S. Hall	W. F. Paris
B. S. Bailey	A. L. Hamilton	Luther Pieratt
J. H. Ballard	L. B. Hamilton	Ote Piper
A. L. Baldwin	E. C. Hardin	Richard Radcliffe
Robert Bays	D. J. Howard	Avery Sartin
W. T. Beckham	Joe Huddleston	Joe Schneider
B. C. Beckmann	Chas. L. Hunter	Claude B. Smith
H. V. Bell	J. W. Johnson	R. T. Smith
Leroy Bonta	W. H. Jones	T. J. Smith
W. P. Bowman	H. A. Knollmann	Thomas Spurrier
J. L Bradford	W. T. Lasley	Ben Street
R. J. Cain	S. D. Laughlin	John W. Swope
T. L. Caudel	Joseph Lazarus	C. M. Thomas
H. C. Chappell	M. E. Lee	Elmore Thomas
Everett Cobb	J. E. Lilly	J. B. Thomas
John Cook	Clarence Miller	G. F. Thompson
Fred Cornelius	Ryland C. Musick	W. F. Trusty
W. P. Cropper	A. J. McCandless	J. Wood Vance
A. A. Demunbrun	W. P. McDonogh	F. C. VanHoose
H. L. Dixon	H. C. McGehee	T. R. Welch
W. G. Dycus	S. Lee McGohan	W. N. Winn
F. A. Easterling	H. C. McLellen	E. G. Young
J. M. Elliston	W. B. O'Bannon	
I. H. Gabbard	A. J. Oliver	—73

Those who voted in the negative were—

L. D. Baldauf	Leslie P. Jones	W. F. Klair
O. V. Brown	Griffin Kelly	Harry J. Meyers

—6

Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 144. An act to amend section 428, Civil Code of Practice.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 428 of the Civil Code of Practice be amended by adding to and at the end of subsection 1 of said section the words: "Provided that no such suit shall be brought by any of the parties named except the personal representatives until the expiration of six months after the qualification of such representative," so that said section, when so amended, will read as follows:

§ 1. "A representative, legatee, distributee or creditor of a deceased person may bring an action in equity for the settlement of his estate, provided that no such suit shall be brought by any of the parties named except the personal representative until the expiration of six months after the qualification of such representative."

§ 2. "The representatives of the decedent and all persons having a lien upon or an interest in the property left by the decedent, or any part thereof, and the creditors of the decedent, so far as known to the plaintiff, must be parties to the action as plaintiffs or defendants."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	L. B. Hamilton	W. B. O'Bannon
Chas. Ashby	E C Hardin	A. J. Oliver
B. S. Bailey	D. J. Howard	T. P. Oliver
B. C. Beckmann	Joe Huddleston	W. F. Paris
H. V. Bell	Chas. L. Hunter	Lilburn Phelps
Leroy Bonta	J. W. Johnson	Richard Radcliffe
W. P. Bowman	Griffin Kelly	Avery Sartin
J. L Bradford	W. F. Klair	Joe Schneider
R. J. Cain	W. T. Lasley	R. T. Smith
T. L. Caudel	S. D. Laughlin	T. J. Smith
H. C. Chappell	Joseph Lazarus	Thomas Spurrier
Everett Cobb	M. E. Lee	John W. Swope
John Cook	J. E. Lilly	C. M. Thomas
A. A. Demunbrun	Harry J. Meyers	J. B. Thomas
Harry Dill	Clarence Miller	S. G. Thornberry
H. L. Dixon	John T. Murphy	J. Wood Vance
W. G. Dycus	Ryland C. Musick	F. C. VanHoose
F. A. Easterling	W. P. McDonogh	G. C. Waggoner
J. M. Elliston	H. C. McGehee	G. Frank Walthal
I. H. Gabbard	S. Lee McGohan	T. R. Welch
Lark Garnett	H. C. McLellen	E. G. Young

—63

Those who voted in the negative were—

W. T. Beckham	Elmore Thomas	W. F. Trusty
H. A. Knollmann		

—4

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 273. An act to amend an act entitled an act for the government of cities of the fourth class, etc.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That subsection 3 of section 3606b of the Kentucky Statutes in Carroll's 1915 edition thereof, be repealed and in lieu thereof the following be enacted as a substitute therefor.

Section 3606b. (3.) It shall be the duty of the county judge of the county in which is located a city proposing to take the sense of its voters, as herein provided, upon the question of organizing and being governed under this act, upon the application by written petition signed by a number of legal voters of the said city equal to twenty-five per centum of the votes cast in said city at the last preceding general election, to receive said petition, and at the next regular term thereafter to make an order in his book directing an election to be held in said city at the next regular election, and not earlier than sixty days nor later than ninety days after said application is lodged with the said judge, which order shall direct the sheriff, or other officer of said county who may be appointed to hold said election, to open the polls at each and all of the voting places in said city for the purpose of taking the sense of the qualified voters of said city upon the question of whether or not the citizens in said city are in favor of the organization and government of said city under the provisions of the act. The question to be submitted to the voters shall be:

"Are you in favor of the organization and government of the city of ....., under the provisions of

an act to amend an act entitled 'An act for the government of cities of the fourth class in the Commonwealth of Kentucky,' which was approved March 19, 1894, and thereafter in due course became a law, and as same has since been amended, all of which said act and amendments now appear as article 5, chapter 89, of the Kentucky Statutes, in John D. Carroll's edition thereof.'' The salary of mayor to be $..... per annum during his term; that of the police judge $.....per annum during his term, and that of each commissioner $..... per annum during his term.

It shall be the duty of the county clerk to give to the sheriff of the county, or to such officer as may be appointed to hold said election, a certified copy of the order of the county court, as it appears on the order book, within five days after such order is made; and it shall be the duty of said sheriff, or other such officer, to have said order published in some weekly or daily newspaper, published or circulated in said county, for at least two weeks before the election, and also to advertise the same by printed or written hand bills, posted in conspicuous places in said city, for the same length of time. If there is no weekly or daily newspaper published in said city, or the proprietor of said paper refuses to publish such notice, the printed or written hand bills provided for shall be sufficient notice. The sheriff, or other such officer, shall have the advertisement and notices herein provided for posted as herein required, within seven days after he receives the order of the county court. All elections provided for in this act, except the primary elections, shall be held on the regular election day, by the regular election officers.

If it shall be found that a majority of the legal votes cast at the election hereinabove provided for were given for or against said proposition submitted, it shall be the duty of the canvassing board to certify that fact, which certificate shall be delivered to the clerk of the county court, and a copy thereof delivered to the clerk of the city, and at the

next regular term of said court the county judge shall cause the same to be spread on the order book of said court, and the entry of said certificate in the order book, or copy thereof, shall be prima facie evidence of the facts therein contained.

When a majority of the votes cast shall be in favor of organizing and governing the city under the provisions of this act, and said fact shall be certified as hereinbefore provided, by the said canvassing board of the county to the county clerk, a copy of which shall be certified to the city clerk, and said copy of said certificate shall be spread upon the records of said county, as herein provided, and upon the records of said city, at the next regular meeting of the city council, thereupon said city shall be organized and governed by the provisions of this act.

§ 2. That subsection 10, section 3066b of the Kentucky Statutes in Carroll's 1915 edition thereof, be repealed and in lieu thereof the following be enacted as a substitute therefor:

Section 3606b. (10.) The mayor and police judge shall be elected for a term of four years beginning on the first Monday in January following their election. The mayor and police judge shall each receive an annual salary, for their first term under this act, of such sum as may be fixed in the question submitted to the voters, provided for in subsection 3 of this act as amended but thereafter the salaries of mayor and police judge shall be fixed as hereinafter provided.

§ 3. That subsection 11, of section 3606b of the Kentucky Statutes in Carroll's 1915 edition thereof, be repealed and in lieu thereof the following be enacted as a substitute therefor:

Section 3606b. (11.) The first election for commissioners, if it does not occur at the same time as the election of mayor and police judge, shall be for a term expiring with that of the mayor and police judge, and thereafter the elec-

tion of mayor, police judge and commissioner shall occur at the same time. Each commissioner shall receive an annual salary, for the first term under this act, of such sum as may be fixed in the question submitted to the voters provided for in section 3 of this act, and thereafter, at least sixty days before the day for holding the primary election herein provided for, the mayor and commissioners then in office, or a majority of them, shall by proper ordinance, fix the salary of mayor, police judge and commissioners, to be elected at the next regular election as follows: That of mayor not to exceed twelve hundred ($1,200.00) dollars per annum nor less than the amount of the salary then being paid the mayor; that of the police judge at not to exceed one thousand ($1,000.00) dollars per annum nor less than the amount of the salary then being paid the police judge; and that of each commissioner at not to exceed one thousand ($1,000.00) dollars per annum nor less than the amount of the salary then being paid the commissioner, and in the event such salaries are not so fixed as herein provided, then the salaries of the mayor, police judge and commissioners, when elected shall be, for their term, such a sum respectively as is then being paid the mayor, police judge and commissioners.

The commissioner of each department shall keep a public office at the city building, at which place he may be found or communicated with during stated hours, to be fixed by him for the convenience of the public, unless special duty shall call him elsewhere.

§ 4. That subsection 15, of section 3606b of the Kentucky Statutes in Carroll's 1915 edition thereof, be repealed and in lieu thereof the following be enacted as a substitute therefor:

Section 3606b. (15.) The board of commissioners shall meet at least once each week for the transaction of its business. It shall fix by ordinance the times of holding its regular meetings. Any special meeting may be called by the

mayor or by three commissioners. All meetings shall be public.

§ 5. That section 3606b of the Kentucky Statutes in Carroll's 1915 edition thereof, be amended by adding subsection 30 as follows:

At all elections, primary and regular, held under this act the ballots shall be on a different sheet from all other ballots to be used in any election and shall be in the form therein prescribed, except the word "city ballot" shall be at the head thereof, and the names of all candidates shall be printed on said ballots in a single column. The names of the candidates shall be printed on the first fifty ballots as arranged in alphabetical order and on each of the succeeding fifty ballots the names shall be printed in the same order, except that the first name on the preceding fifty ballots shall be shifted to the last place on the next succeeding fifty ballots, which last name so shifted from the first place on said previous lot of fifty ballots shall be succeeded by the second name thereon at all times, and so on thereafter throughout, a like change or rotation being made in the printed order of names for every fifty ballots. Any violation of this requirement shall be a misdemeanor punishable by a fine not exceeding $1,000.00 and imprisonment in the county jail not less than thirty days nor more than six months.

The provisions for the general election law of the State of Kentucky as to registration of electors and as to the duties of the county clerk and other public officers in the matter of printing and distributing ballots, of the issuing of them to the voters, or receiving and depositing them in ballot boxes and of counting and preserving them, and in all other particulars except as otherwise provided herein shall be applicable in all respects to the election for county officers, provided that it shall be the duty of the sheriff of each county in which is a city of the fourth class operating under the provisions of this act, to provide for each precinct in said city

a separate box for the reception of ballots used in the election of the municipal officers. And, provided, further, that it shall be the duty of the officers of election in each precinct to issue at said elections, by writing the name and the residence of the voter upon the primary stub and his registered number upon the secondary stub of the city ballot, and by observing as to these ballots such other regulations for the issue and deposit of ballots as may be prescribed for elections generally. It shall be unlawful for any election officer or other person within the election booth to tell or to indicate, by word of mouth or otherwise, to a voter what may be the political affiliation of any candidate, and a violation of this provision shall be a misdemeanor, punishable by a fine not exceeding two hundred dollars. At the opening of the polls at any election herein provided for, each judge shall appoint an inspector and challenger, whose duty it shall be to act as such in the precinct in which he is appointed, and said inspector and challenger, in performing their duties, shall be governed by the provisions of the general election law with reference to inspectors and challengers.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	W. T. Beckham	O. V. Brown
Chas. Ashby	B. C. Beckmann	Everett Cobb
B. S. Bailey	Leroy Bonta	John Cook
Robert Bays	J. L. Bradford	Fred Cornelius

A. A. Demunbrun	S. D. Laughlin	Ote Piper
H. L. Dixon	Joseph Lazarus	Richard Radcliffe
W. G. Dycus	M. E. Lee	Avery Sartin
F. A. Easterling	Harry J. Meyers	Joe Schneider
J. M. Elliston	Clarence Miller	R. T. Smith
I. H. Gabbard	John T. Murphy	T. J. Smith
Lark Garnett	Ryland C. Musick	Thomas Spurrier
J. S. Hall	A. J. McCandless	Ben Street
A. L. Hamilton	W. P. McDonogh	John W. Swope
E. C. Hardin	H. C. McGehee	J. B. Thomas
D. J. Howard	S. Lee McGohan	G. F. Thompson
Chas. L. Hunter	H. C. McLellen	W. F. Trusty
J. W. Johnson	W. B. O'Bannon	F. C. VanHoose
Griffin Kelly	T. P. Oliver	G. C. Waggoner
W. F. Klair	W. F. Paris	G. Frank Walthal
H. A. Knollmann	Luther Pieratt	T. R. Welch

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Those who voted in the negative were—

L. B. Hamilton	Joe Huddleston	S. G. Thornberry

—3

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 80. An act prescribing the time for filing the annual report or statement of railway, telephone, telegraph, express and other public utility companies with the Auditor of Public Accounts, Tax Commission and Railroad Commission and repealing conflicting laws.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the annual report or statement of every railway company or railway corporation, telephone, telegraph, express company or other public utility company now required under the provisions of the Kentucky Statutes to be made and delivered to the Auditor of Public Accounts, Tax Commission or Railroad Commission, between the 30th day of June and the 1st day of October, hereafter shall be made and delivered by every such company or corporation to the Auditor of Public Accounts, the Tax Commission and the Railroad Commission between the 31st day of December and the 31st day of March following, and the information therein furnished as called for by the statutory provisions aforesaid shall cover the period of twelve months ending the 31st day of December, instead of the 30th day of June, as heretofore required, provided, however, the aforesaid state departments are hereby authorized and directed to change the date of the aforesaid reports to conform to any change in date established by federal regulations.

§ 2. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby B. S. Bailey Robert Bays

B. C. Beckmann	E. C. Hardin	W. F. Paris
H. V. Bell	D. J. Howard	Ote Piper
Leroy Bonta	Joe Huddleston	Richard Radcliffe
W. P. Bowman	Chas. L. Hunter	Avery Sartin
J. L. Bradford	J. W. Johnson	Joe Schneider
O. V. Brown	Griffin Kelly	R. T. Smith
R. J. Cain	W. F. Klair	T. J. Smith
T. L. Caudel	H. A. Knollmann	Thomas Spurrier
H. C. Chappell	S. D. Laughlin	Ben Street
Everett Cobb	M. E. Lee	John W. Swope
John Cook	Clarence Miller	Claude M. Thomas
Fred Cornelius	John T. Murphy	S. G. Thornberry
A. A. Demunbrun	Ryland C. Musick	W. F. Trusty
H. L. Dixon	A. J. McCandless	J. Wood Vance
W. G. Dycus	H. C. McGehee	G. C. Waggoner
F. A. Easterling	S. Lee McGohan	G. Frank Walthal
I. H. Gabbard	H. C. McLellen	T. R. Welch
Lark Garnett	W. B. O'Bannon	E. G. Young
A. L. Hamilton	T. P. Olliver	—59

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

S. B. 180. An act to amend an act entitled an act creating the Thirty-sixth Judicial District of Kentucky; fixing the time of holding courts thereof; providing for the appointment of and election of a circuit judge and Commonwealth's attorney, and changing the Twenty-first and Thirty-second Judicial Districts of Kentucky so as to provide for said Thirty-sixth District, and fixing the time for holding the courts in said district and in the other districts affected.

S. B. 59. An act to repeal and re-enact article 15, chapter 32, Kentucky Statutes, which is entitled sale and purchase of corporations, and consists of section 883b of Carroll's Kentucky Statutes, edition of 1915, by substituting the terms of this act therefor.

S. B. 63. An act to amend section 1632 of the Kentucky Statutes, 1915 edition, compiled by the Hon. John D. Carroll, relating to rebinding and transcribing of books of records in counties having no official indexer.

S. B. 306. An act to amend and re-enact section 7 of chapter 7 of the Acts of the Extraordinary Session of 1917 relating to reports for corporation license tax.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

S. B. 57. An act to amend and re-enact subsection 10 of section 12 of chapter 1 of the Acts of the Extraordinary Session of the General Assembly of 1917, relating to the conference of the county tax assessors.

S. B. 16. An act to amend and re-enact section 26 and to repeal section 27 of chapter 137 of the Acts of 1912, entitled

an act creating boards of education for cities of the second class, providing for the election thereof, defining their powers and duties, and repealing all laws in conflict therewith, approved March 19, 1912.

S. B. 43. An act to regulate the admission of attorneys to practice law.

S. B. 282. An act to amend and re-enact chapter 126 of the Acts of 1912, being section 4758a of the Kentucky Statutes entitled an act to regulate the assignment, pledge, sale, etc., of wages.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a bill of the following title, viz:

S. B. 261. An act to amend and re-enact section 4535h and subsections thereof of the Kentucky Statutes, Carroll's edition of 1915, being chapter 47 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1912, approved March 12, 1912, and entitled an act qualifying and enabling women to vote for the election of school trustees and other school officers chosen by the people, except such officers as women may be disqualified from voting for by the Constitution, and upon school measures or questions sub-

mitted to a vote of the people and to hold common school offices, except such offices as women are disqualified from holding by the Constitution.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said bill.

Ordered, that the Enrolling Clerk deliver said bill to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

H. B. 390. An act relating to exemptions of household goods and other personal property to a person with a family, and prescribing the duties of the county clerk in relation thereto, and fixing his compensation.

H. B. 248. An act to amend and extend chapter 71 of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 21, 1902, entitled an act providing for the establishment and maintenance of free public libraries in cities of the first class, which is also section 2801b, subsection 3 of Kentucky Statutes, Carroll's 1915 edition, and to authorize free public libraries of cities of the first class to mortgage property or to issue bonds thereon, and to authorize cities of the first class to guarantee the payment of any bonds issued by the said free public libraries either the principal or interest or both.

H. B. 461. An act to amend and re-enact section 4122, Kentucky Statutes, edition 1915.

H. B. 371. An act changing the time of holding circuit court in the Second Judicial District.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills which originated in the House, and which have been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

H. B. 251. An act authorizing the fiscal court of counties containing a population of over 200,000, wherein there is located a city of the first class, to contract with the board of trustees of the free public library of any such city for the purpose of granting to the residents and schools of such county the same privileges afforded by such library to residents and schools of said city for the purpose of enabling the said fiscal court to appropriate a sum of money annually

for the maintenance and support of such library payable out of the county levy funds in its hands.

H. B. 384. An act to authorize the appointment of the commanding officer of Camp Zachary Taylor as one of the three members of a General Zachary Taylor Memorial Commission who shall collect and expend the necessary funds to make the birth and burial place of General Zachary Taylor a lasting tribute to his memory.

H. B. 460. An act providing for the appointment of a member of the State Tax Commission to succeed the Auditor of Public Accounts on said commission.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills, which originated in the House, and which have been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

H. B. 22. An act to repeal and re-enact section 1 chapter 39, of the Acts of 1916, amending chapter 19 of the Acts of 1914, which is an act concerning the trial and punishment of prisoners indicted for felony and misdemeanor.

H. B. 164. An act to amend and re-enact chapter 9 of the Acts of the Extraordinary Session of the General Assembly of 1917, which act imposes a license or franchise on any person, firm, corporation or association engaged in the production of crude petroleum in this state, and authorizing county officials to impose such tax for roads, schools and county purposes; providing methods of determining the amount of tax due and prescribing the manner of payment of state tax and imposing penalties for the violation of the act.

H. B. 171. An act creating and relating to the office of county road engineer in counties containing more than 200,000 population and providing for his term of office, qualifications, assistants and compensation, and repealing all laws in conflict herewith.

H. B. 395. An act to repeal section 4758 of the Kentucky Statutes, and enact in lieu thereof an act to define vagrants and vagrancy and provide punishment therefor.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills, which originated in the House, and which have been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

S. B. 206. An act to amend subsection 4 of chapter 13 of the Acts of the General Assembly of 1916 relating to corrupt practices, by inserting after the word "on," at the end of line four of said subsection, the words "or before," and by inserting after the word "on," in line six of said subsection the words "or before."

H. B. 274. An act to provide for the payment of the clerical assistance of the Auditor of Public Accounts and for additional assistance for the proper conduct of said office.

H. B. 111. An act relating to election returns of districts composed of more than one county.

H. B. 122. An act to amend and re-enact section 3523 of Carroll's edition of the Kentucky Statutes.

H. B. 313. An act to repeal and re-enact section 2 of chapter 74 of the Acts of 1914, relating to husband and wife, and setting out more clearly the duty of the county court clerk in issuing marriage license.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the

Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills which originated in the House, and which have been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a bill of the following title, viz.:

H. B. 420. An act relating to the assessment of co-operative life and accident insurance companies, amending section 681, Kentucky Statutes, 1915 edition, providing for license for agents of foreign companies doing business in this state.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said bill.

Ordered, that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bill, which originated in the House, and which had been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported he had performed that duty.

Mr. Klair moved that this House adjourn to meet tomorrow morning at nine o'clock.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, MARCH 20, 1918.

The House was opened with prayer by the Rev. J. T. McGlothlin, pastor of the Baptist Church of Frankfort, Ky.

Upon a roll call to ascertain the presence of a quorum, the call resulted as follows, viz:

Chas. Ashby	T. L. Caudel	M. E. Gilbert
B. S. Bailey	H. C. Chappell	W. H. Hager
L. D. Baldauf	Everett Cobb	L. B. Hamilton
Robert Bays	J. C. Davis	E. C. Hardin
B. C. Beckmann	A. A. Demunbrun	P. H. Harris
H. V. Bell	H. L. Dixon	D. J. Howard
Leroy Bonta	W. G. Dycus	Joe Huddleston
W. P. Bowman	L. L. Embry	A. R. Hudson
O. V. Brown	I. H. Gabbard	J. W. Johnson
R. J. Cain	Lark Garnett	Leslie P. Jones

W. H. Jones	W. P. McDonogh	Thomas Spurrier
Griffin Kelly	S. Lee McGohan	Ben Street
W. F. Klair	W. B. O'Bannon	John W. Swope
H. A. Knollmann	T. P. Oliver	C. M. Thomas
S. D. Laughlin	W. F. Paris	J. B. Thomas
Joseph Lazarus	Luther Pieratt	W. F. Trusty
M. E. Lee	H. C. Rice	F. C. VanHoose
J. E. Lilly	Lewis Ryans	G. C. Waggoner
S. H. Moore	Avery Sartin	G. Frank Walthal
John T. Murphy	Claude B. Smith	T. R. Welch
A. J. McCandless	R. T. Smith	E. G. Young

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At the request of Mr. Lazarus that part of the Journal embracing the roll call on Senate Bill 105 was read, and the name of Mr. Paris was changed from the affirmative to the negative, and the names of Messrs. Chappell and Demunbrun were stricken from the affirmative.

Thereupon, upon motion of Mr. Klair, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

Mr. Musick offered the following resolution, viz.:

Whereas, this House will on today adjourn and we shall each return to our respective counties but shall even then be and remain the chosen Representatives of our respective districts, and

Whereas, we have voted an appropriation for the furtherance of the work of the Council of National Defense in Kentucky and have during this session listened to eloquent addresses from officers of the French army and representatives of our own United States in which we have been enlightened upon the task before the American people to supply men and women for the battle fronts in Europe as soldiers, nurses and

aids and food and raiment for our boys in the trenches upon the foreign field to do our part toward feeding the great armies of the allies in our battle for universal freedom and world wide democracy, and

Whereas, we realize the need of arousing our people to a full realization of the great and momentous task before us in cultivating every acre of ground to bring forth the most abundant production that the crisis may be most effectively met; now, therefore

Be it resolved by the House of Representatives of the General Assembly of Kentucky:

That we hereby tender to the Council of National Defense of Kentucky the services of every member of this House in our own counties and districts and elsewhere in Kentucky and that we hereby assure the Council of National Defense of Kentucky of our most hearty endorsement and co-operation.

(2) That we approve of the policy of the Fuel Administrator of Kentucky that housekeepers and local consumers should during the early summer months avail themselves of the first opportunity to supply themselves with winter fuel that the manufacturing and war supply industries may not again be hampered by lack of proper fuel supply during the succeeding winter.

(3) That we hereby endorse the Food Administrator in his efforts to conserve the food supply of the nation and hereby pledge ourselves to use our efforts to both conserve the supply of food products in Kentucky and to bring about the greatest production of food supplies in the history of the State.

(4) That we hereby call upon every able-bodied and qualified man of draft age in Kentucky to respond quickly to the call of his country and to follow the stars and stripes into Berlin at the earliest possible moment.

Said resolution was adopted.

Mr. Demunbrun called up for consideration from the Clerk's desk a resolution of the following title, viz.:

H. Res. 40. Resolution relating to board of health and medical schools in Kentucky.

(For said resolution see House Journal March 18th.)

Said resolution was adopted.

A message was received from the Senate anouncing that they had adopted a resolution of the following title, viz.:

S. Res. 29. Resolution relating to board of health and medical schools of Kentucky.

Ordered that said resolution lie on the Clerk's desk.

Also that they had passed a bill which originated in the House of the following title, viz.:

H. B. 151. A bill to prohibit the German language from being taught in the public schools of Kentucky.

Together with Senate amendments proposed thereto.

Said amendments are as follows, viz.:

Amend H. B. 151 by adding in line two between the words "public" and "schools" the following: "elementary and high."

Amend the title to H. B. 151 by ading between the words "public" and "schools" the words: "elementary and high."

Mr. Hardin moved that the House concur in Senate amendments to H. B. 151.

Said motion was agreed to.

Said amendments were concurred in.

The yeas and nays being taken on the final passage of said H. B. 151, as amended by the Senate, in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Ed. L. Allen	W. H. Hager	S. Lee McGohan
L. D. Baldauf	A. L. Hamilton	H. C. McLellen
B. C. Beckmann	E. C. Hardin	W. B. O'Bannon
H. V. Bell	B. H. Harris	A. J. Oliver
Leroy Bonta	D. J. Howard	W. F. Paris
J. L. Bradford	A. R. Hudson	Luther Pieratt
O. V. Brown	W. H. Jones	Ote Piper
R. J. Cain	Griffin Kelly	Richard Radcliffe
H. C. Chappell	H. A. Knollmann	Avery Sartin
Everett Cobb	S. D. Laughlin	Joe Schneider
W. P. Cropper	Joseph Lazarus	John W. Swope
James S. Cruse	Harry J. Meyers	Claude M. Thomas
A. A. Demunbrun	Clarence Miller	F. C. VanHoose
H. L. Dixon	John T. Murphy	G. Frank Walthal
I. H. Gabbard	Ryland C. Musick	T. R. Welch
Lark Garnett	H. C. McGehee	E. G. Young

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Those who voted in the negative were—

John Cook	J. E. Lilly	R. T. Smith
A. S. Cooper	S. H. Moore	
J. W. Johnson	Lilburn Phelps	

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The House took up for consideration from the orders of the day a bill entitled:

S. B. 274. An act entitled an act to amend sections 854 to 878 both inclusive of the Kentucky Statutes of 1915, compiled by the Hon. John D. Carroll and to regulate the organization, incorporation and management of building and loan associations, creating the department of building and loan associations in the office of the banking commissioner and providing for the appointment of examiners and prescribing their duties and for the examination of all building and loan associations organized and doing business under the laws of this Commonwealth.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That sections 854 to 878, both inclusive, of the Kentucky Statutes of 1915 compiled by the Hon. John D. Carroll be amended by striking out the whole thereof of said sections and in lieu thereof, there shall be inserted the following, so that said sections as amended shall read as follows:

Section 854. Definition.—That every association heretofore or hereafter incorporated under any law providing for the incorporation of building and loan associations.

Section 854a. How Incorporated.—Any number of persons, not less than nine, who are residents of this State may associate themselves together for the purpose of organizing a mutual building and loan association and for that purpose they shall make, sign and acknowledge before some person authorized by the laws of this State to take acknowledgment of deeds, articles of association in writing which shall state:

1st. The name adopted by said association which shall not be the same as, nor similar to the name of any other as-

sociation incorporated in this State and the words "building association" shall form a part of the name.

2nd. The purposes for which the association is formed.

3rd. The name of the city or town and county in which its principal office or place of business is to be located.

4th. The amount of its authorized capital stock; the number of shares into which it is divided; the par value of each share and the number of shares subscribed for, which shall not be less than two hundred in cities, towns or villages of fewer than five thousand inhabitants and five hundred shares or more in cities, towns or villages of five thousand inhabitants or more.

5th. The names and places of residence of each of its incorporators and the number of shares subscribed by each.

6th. The time when it is to commence business and the period it is to continue.

7th. By what officers or persons the affairs of the corporation are to be conducted and the time and place at which they are to be elected.

8th. Whether the private property of the stockholders not subject by the provisions of the law under which it is organized shall be subject to payment of corporate debts, and if so, to what extent.

Section 854b. Filing Articles—Power and Duty of Banking Commissioner.—Before filing the articles of incorporation of any proposed association in the office of the county clerk in the county in which the association is to do business, and with the Secretary of State, as is required by law, the incorporators shall present a copy of said articles of incorporation, together with the proposed by-laws of the association to the Banking Commissioner for his approval, and when same are approved in writing by the said commissioner, the incorporators may proceed to the filing of said articles of incorporation and recording of same. Upon presentation of said articles of incorporation and by-laws to the Banking Com-

missioner for approval, he shall carefully examine same and shall make such inquiry and investigation as to the financial standing and moral character of the incorporators as he may deem necessary. He shall inform himself that the incorporators are seeking to establish a bona fide building and loan association, and are acting in good faith and upon his conclusions, he shall approve or refuse to approve said articles of incorporation. If such articles be approved, then the county clerk and the Secretary of State, respectively, may receive said articles for filing and recording. Upon the filing and recording of said articles and doing all other things required by the laws of the State, the said building and loan association shall be deemed organized for the purpose named in its articles of incorporation, but no corporation seeking to do a building and loan business, shall actually transact any business, until it receives from the Banking Commissioner a certificate, in which it shall be set out that said corporation has fully complied with all the provisions of this act and other pertinent laws.

Section 854c. Building and Loan Associations to Report to.—From and after the enactment of this law, all reports now required to be made by building and loan associations to the Secretary of State shall be made to the Banking Commissioner, and the powers and duties now imposed by law upon the Secretary of State with reference to all building and loan associations shall terminate and said duties are hereby imposed upon the Banking Commissioner and his department as provided under this act.

Section 854d. Corporate Rights.—Corporations formed under this act shall be bodies corporate and politic for the period for which they are organized; may sue and be sued; may have a common seal, which they may alter or renew at pleasure.

Section 855. Unlawful to Operate Except Under This Act.—It shall be unlawful for any building and loan associa-

tion, reorganized under the provisions of this act to transact its buisness in any other manner than as is herein provided or to engage in any other business and any violation of the provisions of this section shall be punished by a fine of not less than one hundred ($100.00) dollars nor more than five hundred ($500.00) dollars. Each day shall be deemed a separate offense.

Provided, however, that corporations, associations or organizations organized under the laws of this State or any other state and now engaged in the building and loan business in this State, may, within sixty days after this act becomes a law, file with the Banking Commissioner a copy of a resolution duly adopted by its board of directors and certified by its secretary accepting the provisions of this act and electing to operate thereunder and immediately the said association, corporation or organization shall be considered a building and loan association duly organized, created and existing under this act and subject to all provisions thereof. Such resolution or a certified copy thereof shall be evidence for and against such corporation.

Section 856. Capital Stock—How Divided.—The capital stock to be accumulated shall be divided into shares of the ultimate value fixed by the articles of incorporation.

Provided, however, that associations now organized under the laws of this State or any other state and now engaged in the building and loan business in this State and the ultimate value of whose shares have been fixed by the by-laws, shall file with the Banking Commissioner copy of by-laws duly attested by its secretary, and upon the filing of such copy of its by-laws, it shall be deemed to have complied with this section.

The shares may be issued at the time or times and in the class or classes as the by-laws shall designate, or they may be issued upon the continuing or permanent plan, if so provided in the by-laws.

Section 856a. Kind of Stocks—Method of Transfer.—An association may issue stock upon which payments shall be made at stated periods until the share reaches the ultimate value fixed by the articles of incorporation or by-laws or is withdrawn, cancelled or forfeited. Payments on such shares shall commence from date of issuance and if in a series shall commence from its issue, but all shares so issued shall share equally in the profits.

The association may convert matured stock or partly matured (in even shares) into fully paid-up stock and restrict the same to a less rate of profit by stating upon the face of the certificate of stock, this restricted rule of profit, and the association may also issue paid-up stock upon which all payments may be made in full at time of issuance and restrict this stock to a less rate of profit by stating upon the face of certificate of stock this restricted rate.

Every share shall be subject to a lien for payment of unpaid installments and such other charges as may be lawfully incurred thereon under the provisions of this act, and the by-laws may prescribe the manner of enforcing the lien.

All shares which have matured or which shall have been cancelled, withdrawn or retired may be re-issued as of a subsequent date or series. All shares heretofore issued by any association upon which installments have been paid in advance together with the interest allowed or paid thereon, are hereby legalized and validated. The by-laws shall provide the method of transfer of shares of stock.

Section 857. Limit of Shares to One Person.—No person shall hold, in any association having an authorized capital stock of one hundred thousand ($100,000.00) dollars or less, exceeding an amount equal to two and one-half (2½) per cent of the whole number of shares; in those having an authorized capital exceeding one hundred thousand ($100,000.00) dollars and not exceeding five hundred thousand ($500,000.00) dollars two (2) per cent.; in those having an

authorized capital of five hundred thousand ($500,000.00) dollars and not exceeding one million ($1,000,000.00) dollars one and one-half (1½) per cent, and those having an authorized capital of one million ($1,000,000.00) dollars, or in excess thereof one (1) per cent of the whole number of shares therein.

Provided, however, that an association may restrict the number of shares to which any person may be entitled to hold in his own name to any number less than that permitted by this section.

§ 858. Management and Elections.—The business of the association shall be managed by a board of directors of not less than nine (9) in number, all of whom shall be *bona fide* shareholders in such association owning not less than five (5) shares each and residents of the state of Kentucky. The directors may, by the by-laws, be divided into one, two or three classes, the term of office of those of first class to expire at the annual election next ensuing; of the second class, one year thereafter; of the third class, two years thereafter, and at each annual election held after such classification, directors shall be chosen for two or three years, as the case may be, to succeed those whose terms expire. The officers shall consist of president, vice-president, secretary and treasurer and such other officers as the association may by its by-laws determine necessary to the management of its business.

The duties and qualifications of the officers and directors, their terms of office, the time and manner of their election, the manner of filling vacancies, the time of holding periodical meetings of the officers and shareholders, the manner of calling all special meetings and manner of voting when not provided for in this act shall be determined by the by-laws.

When not provided in this act and unless the compensation of the secretary and employes of the association shall be provided for in the by-laws, the directors shall fix and determine the same. No compensation shall be paid to presi-

dent, vice-president, treasurer or to any director unless authorized by the by-laws.

Section 858a. Officers' Bonds.—Every person appointed or elected to any position requiring the receipt, payment, management or use of money belonging to such association, shall, with thirty (30) days after such appointment or election, become bonded in some good and responsible fidelity insurance company in such amounts as the directors shall require and approve, the premiums upon all such bonds and renewals thereof to be paid by the association. No officer or employe who is required to give bond shall be qualified to enter upon the discharge of his duties until his bond has been approved by the majority of directors. All bonds shall be in the custody of the officer provided for in the by-laws.

Section 859. Liability of Directors and Officers.—Any officer, director, trustee, attorney, agent or servant of any association heretofore or hereafter to be incorporated who shall use or dispose of the moneys, property, assets or funds of such association or assign, transfer, cancel, deliver up or acknowledge satisfaction of any bond, mortgage or other written statement belonging to such association, unless duly authorized or otherwise than in the regular and legal business of the corporation, or who shall be guilty of any fraud in the performance of his duties, shall be liable civilly to the corporation and also to any other party injured to the extent of the damage thereby caused and shall also be deemed guilty of a misdemeanor or felony, and upon conviction, be punished in the manner prescribed by law for stealing property of the value of the money, property, assets or funds so used or disposed of, or stealing property of the value of any bond, mortgage or other written instrument as assigned, transferred, cancelled and delivered up.

Section 860. Failure to Perform Duties.—Any officer, director, trustee, attorney, agent or servant of any association heretofore or hereafter to be incorporated, who shall fail

to perform any duty or service imposed upon him by the association, shall, unless he has been excused from the performance of such duty or service by the board of directors, be responsible and liable personally for any loss that may result by reason of such failure or neglect to perform his duty.

Section 861. Power to Borrow Money.—The directors shall have power to borrow money for such temporary uses and purposes of the association as the exigencies of the business may demand and as are not inconsistent with the objects of the association. To secure such loans the directors may cause the obligation or obligations of the association to be issued therefor, bearing interest at not to exceed the then legal rate. No such loan or loans shall have a longer duration than one year, nor shall the aggregate amount of such outstanding indebtedness at any time exceed fifteen (15) per centum of the first three hundred thousand ($300,000.00) dollars of assets composed of dues paid in and five (5) per centum of the assets, composed of dues paid in, in excess of three hundred thousand ($300,000.00) dollars. Before any money shall be borrowed, the board of directors shall first, by a majority vote of all members, pass and record a resolution to that effect.

Section 862. Infants as Stockholders.—Infants over fourteen years of age may become members in any association the same as adults and the infant members shall be subject to the same duties and liabilities as respects their stock, as adult members. Any receipt, release, acquittance or discharge given to the association by an infant shall be binding upon the infant to the same extent as if he were of full age, but no infant shall be eligible to hold any office in any association.

Section 862a. Membership—Fees.—A membership fee and a transfer fee, neither of which shall exceed the amount per share set forth in the by-laws may be charged and all fees

shall be accounted for as a part of the receipts of the association.

Section 863. Deceased Members.—Upon the death of a shareholder, his legal representative shall be entitled to receive the voluntary withdrawal from the unpledged shares of the deceased. No fine shall be charged to profits credited to any deceased member's shares from and after his decease, unless his legal representative assume the future payment of such shares.

Provided, however, that any administrator, executor or other fiduciary may sell, transfer and assign any shares which have not matured without application to any court as provided in section 4707, Kentucky Statutes, Carroll's edition; and, provided further, when shares are issued in the names of husband and wife to the survivor of them, upon the death of either of such joint owners the association shall be liable only to the survivor.

Section 864. Withdrawal of Shares.—A member may withdraw his unpledged shares at any time by giving thirty (30) days' notice of his desire to do in a book provided by the association for that purpose and payments shall be made in the order in which applications are received. The member shall be entitled to receive the full amount of dues paid in on shares so sought to be withdrawn and such interest thereon as is fixed in the by-laws together with such proportion of the profits as the by-laws may determine, less all fines, expenses and proportionate part of any unadjusted loss; provided, however, that at no time shall more than one-half of the funds in the treasury of the association be applicable to the demand of withdrawing members or payment of matured shares, without the consent of the board of directors; provided further, that any member having pledged his shares as security for an advance, without other security, may withdraw the same and receive the evidence of indebtedness given for such advance and the balance, if any, in cash which may be to the

credit of his shares, but such withdrawal shall be subject to the same regulations in all other respects as in case of shares not pledged.

Provided, further, subject to approval of board of directors, any borrowing member may withdraw from his dues, not in excess of twenty-five (25) per cent of dues paid in, to be applied to payment in full of taxes, which have been delinquent or unpaid for at least one year and to payment in full of assessments for municipal improvements which have been a lien for at least one year; and, provided, further, that the dues so withdrawn shall be applied under the supervision of the association to payment of such taxes and assessments only and that the receipts evidencing such payments shall be filed in the office of the association with the note and mortgage of the member; and,

Provided, further, that this privilege shall not be exercised by any member within five years of the date of mortgage nor shall it be exercised by any member more than once and not then unless he shall fully satisfy the directors of his inability to pay. Nothing herein contained shall be construed as preventing the directors from permitting withdrawals of dues to pay fire and tornado insurance premiums.

Section 864a. Withdrawal—Involuntary.—The directors may, in their discretion, under the rules made by them in conformity with the by-laws, retire the unpledged shares, in the order of the issue of such shares, by enforcing withdrawals of the same and the owners shall be paid the full value of their shares together with six per cent interest thereon from date of last preceding distribution of profits, less any unpaid fines; provided, that all fully paid, prepaid or matured shares that may be outstanding, shall first be retired.

Section 864b. Shares That Have Reached Maturity.—When any unpledged shares reach the value fixed by the articles of incorporation or by-laws, all payments of dues

thereon shall cease and if the member so desires, he shall be entitled to receive the value fixed by the articles of incorporation or by-laws with interest at the rate of six per cent per annum from the date of maturity to the time of payment, but at no time shall more than one-half of the funds of the association be applicable to the payment of matured shares without the consent of the directors and when any share either pledged or unpledged reaches maturity between the dates of adjustment of profits or whenever shares are retired between these dates, the holders of such shares shall, in addition to value thereof, be entitled to interest at rate of six per cent per annum from date of last distribution of profits to date of maturity.

Section 865. Money Accumulated to be Loaned to Members—Surplus—How Invested.—The moneys accumulated, after due allowance made for necessary and proper expenses and for withdrawal of shares shall at each monthly or weekly meeting, be offered to members according to their priority or right to a loan as fixed by the by-laws. Each member whose application for a loan has been approved shall be entitled upon giving proper security and complying with the by-laws, to receive a loan equal to the par value of each share held by him or such fractional part as the by-laws allow. If a balance of money remains after the monthly loans the directors may invest the same in good and safe bonds, or in such other securities in which banks are now permitted to invest.

Section 865a. Loans—How Secured—Penalties and Failure to Offer Good Security.—For every loan made a note secured by first mortgage on real estate shall be given accompanied by a transfer and pledge of shares of the borrower. The shares so pledged shall be held by the corporation as collateral security for the performance of the conditions of said note and mortgage. The note and mortgage shall provide the number of shares pledged and the amount of money advanced thereon and shall be conditioned for the payment,

as provided in the by-laws of the monthly or weekly dues on said shares and the interest and premium, if any, upon the loan, together with all fines upon payments in arrears until said shares shall reach the value fixed by articles of incorporation or the by-laws or said loan is otherwise cancelled and discharged.

The shares without other security may, at the discretion of the directors, be pledged as security for loans to an amount not exceeding 80 per cent of their value, as determined at the time of application for said loan; provided, no loans shall be made upon paid-up, fully paid-up or matured stock.

If the borrower neglects to offer security satisfactory to the directors within the time prescribed by the by-laws, his right to the loan shall be forfeited and he may, in the discretion of the board of directors, be charged with one month's interest at the rate for which said money is loaned, together with all expenses, if any, incurred and the money appropriated for the loan may be re-loaned at the next or any subsequent meeting.

Section 866. Repayment of Loans.—The borrower may repay a loan at any time upon application to the association in the manner provided in the by-laws, and upon settlement of his account he shall be charged with the full amount of the original loan, together with all installments of interest, dues, premiums and fines in arrears and other charges and shall be given credit for the withdrawing value of his shares pledged and transferred as security and the balance shall be received by the association in full satisfaction of said loan.

The borrower desiring to retain his shares and membership may, at his option, repay his loan without claiming credit for said shares, whereupon said shares shall be free from any claim by reason of said cancelled loan, but in the event the association distributes its profits to non-borrowers in cash, the borrower shall be required to withdraw any profits which have been credited upon his loan; provided, how-

ever, any borrowing member may elect to have applied as a credit upon his loan or advance the withdrawal value of his pledged shares when such value is equal to one full share or any multiple thereof and upon giving notice as required by section 864 hereof the member may withdraw the amount equal to one or more full shares and apply the same to the reduction of his indebtedness, and the remaining shares shall still be held as pledged, and the note evidencing the loan and the mortgage given to secure the same, shall in no manner be prejudiced by such withdrawal and cancellation whether provided for in the mortgage or note, or notes, and after the application of every such credit the amount of such loan or advance shall forthwith be and become reduced in accordance with the amount so applied as a credit and such member shall not thereafter be held liable for any greater amount than shall be remaining due after the application of such credits except for averages and penalties occasioned by the member's own default. Notice of the borrowing member's right to apply withdrawal value of shares upon loan or advance shall be given by printed or written notices posted in not less than three conspicuous places in the office of the association.

Section 867. Default in Payment of Dues—Penalty—Forfeited Share Account.—Members who make default in payment of their monthly or weekly dues, interest, fines and other charges, may be charged a fine not exceeding ten cents per share a month on each share in arrears and in the event the member is a borrower, not exceding an additional ten cents per one hundred ($100.00) dollars or part thereof on account of failure to pay interest. No fine shall be charged after the expiration of six months from the first lapse in any such payment, nor upon fines in arrears. The shares of a member who continues in arrears more than six weeks shall, at the option of the directors, if the member fail to pay the arrears within thirty (30) days after notice, be declared forfeited and the withdrawing value of the shares at the

time of the first default shall be ascertained and after deducting all fines and other legal charges, the balance remaining shall be placed to an account to be designated as the "forfeited share account," to the credit of the defaulting member; said member if not a borrower, shall be entitled, upon thirty days' notice, to receive the balance so transferred without interest, in his order or turn, out of the funds appropriated to the payment of withdrawals. All shares so forfeited or transferred shall cease to participate in any profits of the corporation accruing after the last adjustment and distribution of profits before said default.

Section 867a. Default in Payment of Dues and Interest by Borrower—Effect of.—In case any borrower shall fail or neglect to pay dues on stock, interest, other charges or fines as provided by the by-laws or terms of his note, mortgage or other evidence of indebtedness for period of six weeks, or shall be in default in the performance of any of the obligations imposed upon him thereby, and such default shall continue for thirty (30) days after notice thereof, then the whole of said indebtedness shall become due and payable at the option of the directors and payment thereof may be enforced by proceedings according to law.

Section 868. Profits and Losses—Distribution of—How Computed.—Dividends shall be declared, credited or paid on stock in proportion to the amount paid in on such stock, quarterly, semi-annually or annually as the by-laws may provide, but no dividends shall be declared, credited or paid by any association except out of net profits collected, after deducting from the earnings all expenses of operation and losses sustained.

Section 868a. Contingent or Reserve Fund.—Every association shall set aside from the gross profits at least one (1) per cent thereof each year as a sinking fund to provide against contingent losses until the total amount of the fund so set aside shall equal five (5) per cent of the assets of such as-

sociation, but this sinking fund shall in no case exceed ten (10) per centum of the assets of the association; provided, however, that no association shall be required to reduce its dividend below five (5) per cent for that purpose.

Section 868b. Real Estate May Be Purchased by Association.—Any association may purchase at any sale, public or private, any real estate upon which it may hold any mortgage, lien or other incumbrance or in which it has an interest and may dispose of same at pleasure, but within five years after it has acquired title thereto; it may also acquire and own real estate for the purpose of occupying the same as its own business building from portions of which, not required for its own use, a revenue may be derived and the real estate so held may be sold, conveyed or exchanged.

Section 869. Non-Election of Directors.—No building and loan association shall cease or expire from neglect on the part of the association to elect directors or officers at the time mentioned in by-laws, and all directors and officers elected by any association shall continue in office until their successors are duly elected and qualified.

Section 869a. Examination of Books by Public Accountant.—Any association may allow reasonable compensation to public accountants or expert bookkeepers appointed by the board of directors to make examination of the affairs of the association.

Section 869b. False Rumors About Solvency of Building and Loan Association—Penalty for Circulating.—That any person who shall wilfully and maliciously make, circulate or transmit to another o rto others any false statement, rumor or suggestion, written, printed or by word of mouth, which is directly or by inference derogatory to financial condition or affects the solvency of any building and loan association doing business in this state, or who shall counsel, aid, procure or induce another to start ,transmit or circulate any such statement or rumor shall be guilty of a misdemeanor and

upon conviction thereof shall be fined not less than two hundred ($200.00) dollars nor more than one thousand ($1,000.00) dollars, or confined in the county jail not less than twenty (20) nor more than one hundred (100) days or both so fined and imprisoned in the discretion of the court.

Section 870. Annual Reports.—Every domestic building and loan association shall, in the month of January of each year, file in the office of the Banking Commissioner a statement of its condition at the close of business on the 31st day of December preceding. The statement shall be signed and sworn to by the president or manager or secretary and attested by at least two directors, showing the amount of paid-up capital, the amount of all cash receipts and disbursements and such other facts as the Banking Commissioner may require and every corporation, officer, agent or manager failing or refusing to make said report and to furnish any information called for by Banking Commissioner under oath and at attestation of its officers, as required, shall be severally guilty of a misdemeanor and fined not less than $100.00.

Section 871. Amendment of Articles of Incorpation.—Any association, by the consent, in writing, of the members owning at least two-thirds of its capital stock, may, at any time, change or amend any of the articles of its incorporation or association by presenting to the Banking Commissioner for his approval such alteration or amendment signed and acknowledged by its directors, or a majority of them. Upon approval of such amendment in writing by the Banking Commissioner, the amended articles of incorporation may be recorded in the office of the county clerk in the county wherein the place of business of said association is located and in the office of Secretary of State, and when so recorded the articles of incorporation shall be amended to the extent indicated, provided the association has complied with all provisions of this act and other pertinent laws.

Section 872. Failure to Report.—The president and secretary of any such association failing to make and file the reports required by this act within thirty (30) days after the same are due, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $100.00; upon failure to file such report it shall be the duty of the Banking Commissioner to notify the president and secretary of such failure, and if the report is not filed within thirty (30) days from the date of notice, then it shall be the duty of the said Banking Commissioner to immediately examine the association as provided in section 874b of this act.

Section 873. Consolidation of Association.—Any two or more associations of this state may consolidate into a single corporation by a majority vote of all the members of each of the different associations at a special meeting of each association called for that purpose, of which at least thirty days' notice shall have been given to each member, the consolidation to be upon such terms as shall be mutually agreed upon by the directors of such associations and the terms shall be plainly set forth to each member in the notice of the special meetings. Any member not consenting to the consolidation shall be entitled to receive the withdrawal value of his stock in settlement or to have the value thereof applied in part settlement of his loan, if he be a borrower.

Section 874. Department Created—Building and Loan Clerk—Examiners—Salary—Expense.—There is hereby established in the office of the Banking Commissioner a building and loan association department under the control and direction of the Banking Commissioner, who shall be ex-officio building and loan association inspector and shall be charged with all laws of this state relative to building and loan associations.

The Banking Commissioner shall appoint a clerk to be known is his office as building and loan clerk. The term of

office of building and loan clerk shall begin on the first day of July, 1918, and he shall hold office until a successor is appointed and qualified; he shall receive an annual salary of twenty-four hundred (2,400.00) dollars payable monthly out of the state treasury.

The Banking Commissioner shall also appoint not exceeding two building and loan examiners, the term of office of one of whom shall be for two years from July 1st, 1918, and for the other, if appointed, four years from July 1st, 1918. Thereafter the Banking Commissioner shall biennially during the month of June, appoint one building and loan examiner. Each building and loan examiner shall receive an annual salary of two thousand ($2,000.00) dollars payable monthly out of the state treasury, and shall be paid his necessary traveling expenses monthly on properly itemized and verified accounts rendered to the Banking Commissioner and approved by him and by the Auditor of the State of Kentucky; the said salaries and expenses shall be paid out of the fees received by the Banking Commissioner and State Treasurer, under the provisions of this act; provided, however, that the Banking Commissioner may appoint a building and loan clerk and not exceeding two building and loan examiners, as soon as this act becomes a law to serve until July 1st, 1918, and until the appointment and qualification of their successors at same rate of salary per month and expenses as above set forth.

Section 874a. Officers—Qualification of—Bonds.—No Banking Commissioner, building and loan clerk or examiner shall be a director, officer or employe in any building and loan association under his supervision or subject to his examination. If any officer becomes so interested in any such association, his office shall immediately become vacant.

Every building and loan clerk and building and loan examiner shall be a resident and citizen of the Commonwealth of Kentucky, shall be a practical bookkeeper and accountant

and shall have had not less than four years' experience in a building and loan association, bank or trust company, but no building and loan association examiner shall be appointed to examine the affairs of any association in any county in which he holds stock in any building association, bank or trust company, and shall take the oath of office required of officers by the Constitution and laws of this Commonwealth for the faithful performance of duties.

They shall severally execute bond with good surety to be approved by the Auditor for the faithful performance of their duties. The bond of the building and loan clerk shall be in the penal sum of $20,000.00 and the bond of each building and loan examiner in the penal sum of $10,000.00. All bonds so required to be executed shall be filed as part of the public records in the office of Secretary of State. The cost of all contingency and all bonds required to be given under this section shall be borne and paid by the state in the same manner as other expenses of the department.

Section 874b. Examination of Association.—The affairs of every domestic building and loan association not in liquidation shall be examined by the Banking Commissioner or by the building and loan clerk or one of the examiners provided in section 874 of this act as ofter as shall be deemed necessary, but at least once in every year, and without any notice to such association, its officers or agents, and such examiner shall have the power and shall make a thorough examination into the condition, workings and affairs generally of such association, and he shall have the power to examine any officer, agent or employe of such association or any other person under oath touching the affairs thereof and for that purpose shall have the power to administer oath. All books, papers and records and assets of such association shall be subject to his inspection. Said examiner shall make report of his findings and file the same in the office of the Banking Commissioner and the said Banking Commissioner shall furnish a

copy of such report to the association examined. Said examiner shall report any violation of law or any unauthorized or unfit practice or any failure to keep and have correct accounts of business of such association and if he finds that any director has wilfully neglected to attend meetings regularly, he shall recommend the discarge of suc director.

Section 874c. Charge for Reports and Examinations—Money Paid Into State Treasury.—Every building and loan association shall have each report made to the commissioner and for the filing thereof, without recording, pay to the commissioner a fee of one dollar and for each examination herein provided for, shall pay to the commissioner immediately upon completion of the examination the following fees: For the examination of any association having assets of $20,000.00 or less, the sum of twenty ($20.00) dollars; those having assets of over $20,000.00, but less than $50,000.00, the sum of twenty-five ($25.00) dollars; those having assets of $50,00.00 and up to and including $100,000.00, thirty-five ($35.00) dollars, and for those having assets in excess of $100,000.00, the sum of five ($5.00) dollars for each additional one hundred thousand ($100,000.00) dollars, or fraction thereof, but no association shall be required to pay for more than one examination each year, unless such examination shall be necessary by failure of association to file reports required by this act.

Section 874d. Publication of Reports—The Banking Commissioner shall compile the reports of all such associations required to be filed in his office and shall publish the same in his annual report to the Governor, together with a report of the operation of building and loan departments and receipts and expenses of the department and such additional information respecting building and loan associations doing business in the state of Kentucky, as may be of general interest.

Section 874e. Disclosures of Examiners—Penalty.—It shall be unlawful for any inspector or examiner appointed or

acting under the provisions of this act to disclose to any person, other than officially to the Banking Commissioner of the State, in the report made to him, or in compliance with the order and precept of some court, the names of stockholders or members in any such association, or any information respecting their private accounts.

Every inspector or examiner who violates the foregoing provision shall be guilty of a misdemeanor and on conviction thereof shall be fined in the sum of not less than $100.00 nor more than $500.00.

Section 874f. Banking Commissioner's Duties When Assets Are Impaired.—Whenever it shall appear to the Banking Commissioner that the assets of any association doing business in the state are impaired to the extent that such assets do not exceed the dues paid in on the shares, or that it is conducting its business in a fraudulent, illegal or unsafe manner, he may at once in either case, take charge of and assume control of such asociation.

Section 874g. Banking Commissioner—Special Meeting of Stockholders—Reports.—The Banking Commissioner at the time of taking charge of any association as herein provided, shall, within ten days thereafter, convene a special meeting of the members for the purpose of considering and acting upon all matters as at such special meeting shall seem best. Notice of the special meeting shall be given in the manner and form provided in section 874m of this act for the calling of special meetings of the members. At the meeting the Banking Commissioner shall present a report of the affairs and conditions of the association as found by him from his examination thereof.

Section 874h. Report—Duties of Banking Commissioner.—The Banking Commissioner shall take possession of the books, records and assets of every description of the association and pending the proceedings provided in this act, shall prepare or have prepared a full and true exhibit of the af-

fairs, property and condition of such association, including an itemized statement of all its assets and liabilities and shall receive and collect all debts, dues and claims belonging to it. He shall also receive and receipt for all payments becoming due after the time of taking charge of such association and shall keep the same separate and apart from the other moneys and effects of such asociations.

Section 874i. Meetings of Members—Re-organization.—If, at the special meeting of the members to be called, as herein provided, the members of the association shall vote to re-organize said association, then upon the consummation of re-organization thereof and when the Banking Commissioner shall be satisfied that the interests of the members will be fully protected, all the books, papers and effects of every description belonging to the association shall be turned over to the new management.

Section 874j. Voluntary Liquidation.—If, at the special meeting of the members to be called and held as herein provided, the members shall vote to go into voluntary liquidation or to otherwise close up and discontinue the business of the association, the Banking Commissioner shall return to the members all payments received and receipted for by him and which became due and payable after the time of his assumption of control and all books, papers and effects of every description in his hands belonging to the association not so returnable may, when he shall deem it advisable, be turned over and delivered to the person or persons entitled thereto.

Section 874k. If the Banking Commissioner Finds That an Association Cannot Be Re-organized—Report to Attorney General—Duties of Attorney General—Proceedings.—If the Banking Commissioner, after calling meeting of the members as in this act provided, shall find that the association cannot be re-organized or that voluntary liquidation by the members cannot be had or consummated, he shall report the same to the Attorney General, whose duty it shall then become to at

once apply to the circuit court of the county in which the principal office of such association may be located, or to any of the judges of said court in vacation in the name of the Commonwealth of Kentucky on the relation of Banking Commissioner for an injunction restraining the association from doing further business and for the appointment of a receiver of the association and for the dissolution of said association, which application may be made and granted in the manner now provided for the obtaining of an injunction and said cause shall thereupon proceed as other causes in equity.

Section 874-l. When Associations May Re-organize or Go Into Voluntary Liquidation.—Any association may re-organize or go into voluntary liquidation by the votes of its members owning at least two-thirds of the shares in force at the time the vote is taken. Whenever the members shall desire to re-organize or go into voluntary liquidation it shall be the duty of the board of directors of the association or the committee of members appointed for that purpose to submit the question of re-organization or voluntary liquidation to a vote of the members at a special meeting of the members to be called and held as herein provided, but no association shall re-organize or go into voluntary liquidation without the approval of the Banking Commissioner.

Section 874m. Meeting of the Members Can Be Called—Notice to Be Given.—Whenever a meeting of the members is to be called for the purpose aforesaid, it shall be the duty of the board of directors or of said committee to convene a special meeting of the members at the principal office of the association at such time as such directors or committee shall fix and determine.

Notice of meeting shall be given to every member of the association by depositing at the post office at least ten days before the time fixed for the meeting a notice properly addressed to every member at his last recorded address. The directors or committee shall also cause a notice of the meeting

to be certified to the Banking Commissioner at the time notice is given to the members.

Section 874n. Exhibit of Affairs to Be Printed.—Such directors or committee shall prepare or have prepared a full and true exhibit of the affairs, property and condition of the association, including an itemized statement of its assets and liabilities, which exhibits shall be sworn to by a majority of said directors or of said committee before some officer authorized to take acknowledgments of deeds in this state, said report to be printed and a copy thereof mailed along with the notice convening such special meting. The original exhibit sworn to as herein provided, shall be filed with the Banking Commissioner of this state, together with notice of the meeting at the time they are mailed to the members.

Section 874o. Voting—Adoption of Resolution to Re-organize or Liquidate.—At the special meeting all votes taken shall be by ballot and votes by the members owning at least two-thirds of its shares in force at the time the vote is taken shall be necessary to carry any resolution for the re-organization or liquidation of the association, and if, at the meeting said members shall, in the manner herein provided, pass a resolution for the re-organization or liquidation, a copy of the resolution duly certified by the presiding officer and secretary of the meeting shall be given to and contain full instructions and define the authority and compensation of the party or parties to be named therein to answer and discharge the duties intrusted to them by such resolution, and a like duly certified copy of the resolution, instructions and authority shall immediately be filed with the Banking Commissioner by the party or parties named in any resolution before they shall enter upon the discharge of their trusts. Before the party or parties named in any resolution shall asume the duties of his trust, they shall become bound with two or more sufficient sureties or in some good and responsible fidelity insur-

ance company in such sum as the Banking Commissioner of this state shall require and approve.

Section 874p. Whenever it becomes necessary under any of the provisions of this act for Banking Commissioner to take charge of any association, he shall have power to employ counsel and procure such expert assistance and advice as may be necessary in the liquidation and distribution of its assets, or in its re-organization. Whenever, under the provisions of this act the Banking Commissioner in person or building and loan clerk or examiner shall take charge of any building and loan association, or the court shall appoint a receiver, such person shall be allowed for his services not exceeding $2.00 per hour for not exceeding eight hours per day, for time actually engaged by him in labor in the liquidation or re-organization, but all fees shall be subject to review by the court.

Section 874q. Penalties for Violation of Act by Department of Associations—How Collected—When Commissioner May Take Charge of Association.—If the building and loan clerk, or any building and loan examiner shall have knowledge of the insolvency or unsafe condition of any association subject to examination under this act, or that it is unsafe, or that it is inexpedient to permit such association to continue business, and shall neglect to forthwith report such fact in writing over his signature to the Banking Commissioner, or shall disclose contrary to the provisions of this act any information obtained by him by virtue of his office, or shall violate any of the provisions of this act, or fail to perform any duty herein imposed upon him, he shall forfeit his office and shall be fined for each offense not less than one hundred ($100.00) dollars nor more than two thousand ($2,000.00) dollars.

If the Banking Commissioner shall have knowledge of the insolvency or unsafe condition of any association subject to examination or that it is unsafe or that it is inexpedient to permit such association to continue business and shall wil-

fully fail to take action as provided in this act, or shall disclose, contrary to the provisions of this act, any information obtained by him by virtue of his office, or shall violate any of the provisions of this act, or shall fail to perform any of the duties hereby imposed upon him, he shall forfeit his office, and shall be fined for each offense not less than five hundred ($500.00) dollars nor more than five thousand ($5,000.00) dollars.

If any association shall knowingly fail to make a report required by law or by the Banking Commissioner within the time designated for the making thereof, or to include therein any matter required by law or by the Banking Commissioner, or to pay when due the fees for filing reports, or for an examination of the association, it shall be subject to a penalty of twenty-five ($25.00) dollars for each day which it shall be delinquent for the periods respectively mentioned, the aggregate penalty, however, for such offense not to exceed two hundred and fifty ($250.00) dollars.

Every person who, or association which wilfully makes or transmits a false report or refuses to submit its books, papers and assets for examination, or any officer of such association who refuses to be examined under oath touching the concerns of such association, severally shall be fined not less than one hundred ($100.00) dollars nor more than five hundred ($500.00) dollars.

Whenever any such officer, person or association becomes liable to any penalty imposed by this act and refuses to pay it, or the Banking Commissioner, building and loan clerk or any building and loan examiner becomes liable to any penalty imposed by this act, the Attorney General shall institute a penal action against such delinquent person, association or officer, in the name of the Commonwealth of Kentucky, in the Franklin Circuit Court, or in the circuit court of the county in which such offense is committed, for the re-

covery of such penalty, and all sums collected in such actions shall be paid into the State Treasury.

If any association or its officers wilfully refuse after demand by the Banking Commissioner to comply with any of the provisions of this act, the Banking Commissioner shall have power to take charge of its property and assets as provided in section 874f hereof.

FOREIGN ASSOCIATIONS.

Section 875. Statement.—It shall be unlawful for any corporation, association, or society organized under the laws of any State or territory (other than the State of Kentucky) or of any government foreign to the government of the United States, to conduct or engage in the business of the building loan fund, savings or investment association and of issuing stocks or bonds to members, payable in weekly, monthly or yearly installments or assessments, agreeing to pay thereon dividends or profits, or interest, or to pay off bonds by number consecutively or otherwise, without first having filed in the office of the Banking Commissioner a statement, under the oath of the president, secretary and at least three of the directors showing the name and location of such corporation, association or society date of incorporation, the name of its officers, the amount of its capital stock, the amount of capital stock paid in, the amount of the assets of said corporation, association or society, the character of such assets and the fair cash value thereof, together with the fair cash value of all of the securities held by such corporation, association or society; the liabilities of such corporation, association or society, and the character of such liabilities; the par value and the amount of dues or assessments chargeable on each share of stock issued by such corporation, association or society; the proportion of such dues or assessments credited to the loan fund, expense fund, or other fund; when

such assessments or dues are payable; the amount of premium and interest charged on loans made by such corporation, association or society; the amount of interest paid on paid-up or other stock issued by said corporation, association, or society; and such other information concerning the business of said corporation, association or society as may from time to time be required by said Banking Commissioner.

Section 875a. Copy of Act of Corporation.—In addition to the statement required by section 875 of this act said foreign corporation, association or society shall file with the Banking Commissioner a copy of its act of incorporation, properly authenticated by the officer of the State in which said foreign corporation, association or society is incorporated, a copy of the by-laws and rules governing it, and of each of the several kinds of the certificates issued to its shareholders, or stockholders.

Section 875b. Deposit of Cash or Bonds.—Every such foreign corporation, association or society doing business in this State shall conduct the same in accordance with the laws of this State governing domestic associations. It shall also deposit with the Banking Commissioner one hundred thousand dollars, either in cash or bonds of the United States, or any county or municipal corporation in the State of Kentucky, satisfactory to the Banking Commissioner, or in lieu of any such deposit any such foreign corporation, association or society shall file with the Banking Commissioner a written contract or bond executed by a responsible surety or guaranty corporation or company, to be approved by the Banking Commissioner, by which contract or bond said surety or guaranty corporation or company shall agree that upon notice by mail from the Banking Commissioner that any such foreign corporation, association or society is indebted to any citizen of the State of Kentucky in any sum or sums, which indebtness it refuses to promptly pay, that it will at once pay such sum or sums to the Banking Commissioner and continue so

to do from time to time until such payments shall equal one hundred thousand dollars, and upon failure to make such payment or payments, then such Banking Commissioner shall at once revoke the license of any such foreign corporation, association or society, under section 876 of this act, and suit against such surety and guaranty corporation or company shall be brought by the State of Kentucky on relation of the Attorney General of said State, and any judgment recovered against any such surety and guaranty corporation or company shall include one hundred dollars damages and costs of suit exclusive of such sum or sums of indebtedness in favor of such citizen or citizens, which damages shall be the compensation of such Attorney General for recovering such judgment. Such surety and guaranty corporation or company shall agree in writing, filed with the Banking Commissioner before acceptance by the Banking Commissioner of its contract or bond, to accept service of process of court by service thereof on the Banking Commissioner, who shall mail a copy thereof to the office of such corporation or company. And such Banking Commissioner may, whenever in his judgment he thinks any such contract or bond so filed in his office to be insufficient, request any such foreign corporation, association or society, to file a new bond satisfactory to such Banking Commissioner and upon failure to comply with such requirements, said Banking Commissioner shall revoke the license of said foreign corporation, association or society, as provided in said section 876, to do business in this State, and such foreign corporation, association or society shall not be entitled to enforce by legal proceedings any evidence of indebtedness against any such citizens in this State, or any mortgage against any property in this State until such requirement has been complied with. Any such foreign corporation or society shall also file with the Banking Commissioner a written instrument, properly executed, agreeing that a summons may be issued against it from any county in the

State, and when served upon the Banking Commissioner shall be service upon such foreign corporation, association or society. The Banking Commisioner shall, however, mail a copy of the papers served upon him, postage prepaid, to the home office of such foreign corporation, association or society.

Sections 876. License by Banking Commissioner.—Upon compliance with the preceding sections of this act by any such foreign corporation, association or society, and the Banking Commissioner is satisfied that it is doing a lawful and safe business, he may issue to said foreign corporation, association or society a license authorizing it to conduct its business in this State and to solicit subscriptions from the residents of this State to its capital stock. The Banking Commisioner shall have the power at any time to revoke said license when said foreign corporation, association or society fails or refuses to comply with any of the provisions of this act, or when any such foreign corporation, association or society shall refuse to permit to be made an examination of the affairs of such foreign corporation, association or society, hereinafter provided for, or, when, upon examination, the Banking Commissioner shall find that such foreign corporation, association or society is not conducting its business in accordance with the law, or that the affairs of such foreign corporation, association or society are in an unsound condition. Provided, that upon the revocation of said license, said Banking Commissioner shall cause a notice thereof to be mailed to the home office of such foreign corporation, association or society, and to be published in at least one newspaper in the City of Frankfort; and provided further, that after the publication of such notice it shall be unlawful for any agent of such foreign corporation, association or society to receive further stock deposits from members residing in this State, except payments on stocks on which a loan has been made.

Section 876a. Deposits—How Held.—The deposit made with the Banking Commissioner shall be held as security for all claims of residents of this State against said foreign corporation, association or society and shall be liable for all judgments or decrees thereon. Such foreign corporation, association or society may collect and use the interest on any security so deposited, as required by section 875b of this act, so long as it fulfills its obligations and complies with the provisions of this act. It may also exchange them for other securities of equal value and satisfactory to the Banking Commissioner. All securities or cash deposited with the Banking Commissioner shall be immediately deposited by him with the Treasurer of the State, who, with his sureties, shall be responsible for the safe keeping thereof. The Treasurer shall deliver such securities only upon written order of the Banking Commissioner.

Section 876b. Agents to Procure Certificates.—Every agent or person engaged, directly or indirectly, in soliciting subscriptions to the capital stock of any such foreign corporation, association or society shall first procure from the Banking Commissioner a certificate showing the appointment of such person as such agent of said foreign corporation, association or society, to which certificate the Banking Commissioner shall attach a certified copy of the statement of the condition of such foreign corporation, association or society. It shall be unlawful for such Banking Commissioner to issue such certificate except upon the filing in his office of a written appointment under the hand of the president and secretary of such foreign corporation, association or society, attested by its corporate seal. Such certificate shall be renewed annually in the month of January in each year.

Section 876c. Examination by Banking Commissioner.—The Banking Commissioner of the State shall examine, or cause to be examined under the provisions of this act, whenever in his judgment it may be necessary for the interest of

the shareholders or stockholders of said foreign corporation, association or society residing in this State, every detail of the business of any of said foreign corporation, association or society transacting business in this state. Said examination shall be made at the expense of the foreign corporation, association or society examined, and consent to make such examination shall be filed before any certificate authorizing such foreign corporation, association or society shall be granted, and the provisions of this act relative to domestic building and loan associations shall be applicable to such examinations.

Section 876d. Reports by Association.—Every such foreign corporation, association or society, authorized to transact business in this State shall on the first day of January in each year file a report under the oath of its president or secretary, and which shall be certified to by at least three directors, showing the gross amount of assessments, dues, fines, membership fees and all money collected by said foreign corporation, association, or society from shareholders or stockholders residing in this State during the previous year. Such statement shall also show the amount of money loaned by said foreign corporation, association or society to any of its shareholders or stockholders residing in the State during the previous year. Any such foreign corporation, association or society shall pay the Banking Commissioner, to be by him paid into the Treasury of the State, the sum of three ($3.00) dollars on every one hundred ($100.00) dollars received by such foreign corporation, association or society from the shareholders or stockholders residing in the State, less the amount actually loaned to the shareholders or stockholders of such foreign corporation, association or society residing in this State.

Section 877. Statement—Filing of.—Every such foreign corporation, association or society shall, in addition to the report required by section 876d of this act, on the first of

January of each year file with the Banking Commissioner a detailed statement, showing separately the amount of membership fees, dues, interest, premium, fines, forfeitures, assessments, expense fund receipts and all other moneys received by it together with a full showing of amounts paid on loans, withdrawals, losses, salaries and all other expenses, dividends, interest or other expenditures; and it shall further show the amount of the assets of said foreign corporation, association or society, the character of cash assets, the fair cash value thereof, together with the nature and fair cash value of all securities of such foreign corporation, corporation or society, and the character of such liabilities; the par value and the amount of dues or assessments chargeable on each share of stock issued by such foreign corporation, association or society; the proportion of such dues or assessments credited to the loan fund, expense fund or other fund; when such assessments or dues are payable; the amount of premium and interest charged on loans made by such foreign corporation, association or society; the rate and amount of interest paid on paid-up or other stock issued by such foreign corporation, association or society, and such other information concerning the business of such foreign corporation, association or society as may from time to time be required by the Banking Commissioner.

Section 877a. Fees Collected by Banking Commissioner. —The Banking Commissioner shall charge and collect from such foreign corporation, association or society, for filing the statement and other papers and issuing the certificates required to be filed and issued by this act the same fees as are charged and collected from insurance companies doing business in this State which are chartered and incorporated under the laws of the State in which such foreign corporation, association or society is incorporated.

Section 877b. Penalty for Unlawful Business.—Any person or persons who, either directly or indirectly shall solicit

subscriptions to the capital stock of any such foreign corporation, association or society or act as agent for any such foreign corporation, association or society, without first procuring the certificate required in section 876b of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding five hundred ($500.00) dollars, to which may be added imprisonment in the county jail not exceeding thirty (30) days.

Section 877c. Receiver.—That where a foreign building and loan association doing business within this State has become insolvent, and its affairs are being wound up by a receiver, the failure of such association to have complied with the laws of the State respecting its admission to do business therein, shall not affect the right of such receiver to bring any suit to wind up the affairs of such association.

Section 878. Emergency Clause.—Whereas no provision now exists for examination of building and loan associations, and the present laws governing such associations are vague and indefinte, therefore an emergency is declared to exist and this act shall take effect from and after its passage.

Section 878a. Repeal.—All laws and parts of laws in conflict with this act are hereby repealed.

Mr. McDonogh offered the following amendments to said bill: Amend Senate bill 274 in House by striking out section 854, page 2, lines 1, 2 and 3, and inserting in lieu thereof the following: "Section 854. Definition. A building and loan association to be entitled to the benefits of this act, and to be known and designated as such, shall receive payments from members only and make loans to members only on the plan herein set forth. Such associations organized under the laws of this State shall be known as 'domestic' associations, and those organized under the laws of any other state or territory shall be known as 'foreign associations.'

"Amend page 4, section 855, line 2, by striking therefrom the word 'reorganized' and insert in lieu thereof the word 'recognized.' "

Said amendments were adopted.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Ed. L. Allen	A. L. Hamilton	W. B. O'Bannon
Chas. Ashby	E. C. Hardin	A. J. Oliver
B. S. Bailey	B. H. Harris	T. P. Oliver
L. D. Baldauf	D. J. Howard	W. F. Paris
B. C. Beckmann	Joe Huddleston	Luther Pieratt
H. V. Bell	A. R. Hudson	Ote Piper
Leroy Bonta	J. W. Johnson	H. C. Rice
W. P. Bowman	W. H. Jones	Claude B. Smith
O. V. Brown	Griffin Kelly	R. T. Smith
R. J. Cain	W. F. Klair	T. J. Smith
Everett Cobb	H. A. Knollmann	Ben Street
John Cook	S. D. Laughlin	John W. Swope
A. S. Cooper	M. E. Lee	C. M. Thomas
J. C. Davis	J. E. Lilly	Elmore Thomas
A. A. Demunbrun	Harry J. Meyers	J. B. Thomas
H. L. Dixon	Claude D. Minor	S. G. Thornberry
W. G. Dycus	S. H. Moore	W. F. Trusty
F. A. Easterling	John T. Murphy	G. C. Waggoner
L. L. Embry	A. J. McCandless	G. Frank Walthal
I. H. Gabbard	W. P. McDonogh	T. R. Welch
Lark Garnett	S. Lee McGohan	E. G. Young
W. H. Hager	H. C. McLellen	

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Resolved, that the title thereof be as aforesaid.

Mr. Lee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 203. An act to amend subsection 3 of section 648a of the Kentucky Statutes, being an act of Mareh 24, 1906, chapter 144, of the acts of 1906, and to amend subsection 3 of section 648a of the Kentucky Statutes, as amended by section 3 of chapter 93 of the acts of 1912.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That subsection 3 of section 648a of the Kentucky Statutes, being subsection 3 of an act of March 24, 1906, chapter 144 of the Acts of 1906, as amended by an Act of the General Assembly, approved by the Governor March 15, 1912, being chapter 93 of the Acts of 1912, be amended by adding at the end of subsection 3, the following language:

"But nothing herein contained shall in any manner be construed so as to prevent domestic life insurance companies from owning their home office building in the State of Kentucky, and renting or sub-letting such space as they do not require for their immediate needs, and when such office building is so owned, it may be deeded to the Insurance Commissioner of the State of Kentucky, and when said deed is properly recorded, deposited with the Treasurer of the State of Kentucky, for the full amount of its value, as determined by the Insurance Commissioner, and that said home office

building, when so deeded to the Insurance Commissioner of the State of Kentucky, shall not be sold or further encumbered, except by the consent of said Insurance Commissioner, joining in the deed for such purpose, and the entire plan and intentions of said life insurance company have been submitted to and approved by said Insurance Commissioner. The Insurance Commissioner, in determining the value of the real estate, herein mentioned, shall give it no higher value than would be adequate to yield at three (3%) per cent. annual interest, the average amount of its net rental for the year next preceding, including a fair rental value for the space occupied by such company; except that if an insurance company shall show, to the satisfaction of the Insurance Commissioner, that the actual value of such real estate is greater than the value so ascertained, then the actual value of the said real estate as determined by the Insurance Commissioner shall be allowed. Provided further, however, that no domestic life insurance company, hereafter organized, shall invest more than one-fourth of its capital and accumulations, including its policy loans, in such real estate so used by it as its home office building, And provided further that, when such real estate used for such home office building is sold or encumbered, as provided herein by the consent of said Insurance Commissioner of the State of Kentucky, other securities shall be deposited in lieu of same."

So that subsection 3 of section 648a, of the Kentucky Statutes as hereby amended and re-enacted, shall read in full as follows:

"Section 648a. 3. What May Be Deposited—Securities—Real Estate.—The deposit herein required may be in the securities described in section 625 of the Kentucky Statutes, or in satisfactory evidence of the ownership of such unencumbered real estate, as may be lawfully acquired by such company, under section 632 of Kentucky Statutes, which real estate shall not be sold or encumbered unless securities or ev-

idence of ownership or other real estate of equal value as herein described be deposited with the Treasurer in lieu thereof. The policy-holders shall have a first lien on all said real estate, and when such real estate is withdrawn, sold or encumbered, and other securities of equal value deposited in lieu thereof, the Insurance Commissioner shall execute a release of the property withdrawn, sold or encumbered, which said release shall be recorded in the office of the county clerk of the county in which the property is located. When real estate is deposited under this section in lieu of other securities, said property shall be taken at sixty per cent. of its market value as determined by the Insurance Commissioner. The lien herein provided for shall apply to all real estate, the evidence to the title to which is deposited as herein provided for. But nothing herein contained shall in any manner be construed so as to prevent domestic life insurance companies from owning their home office buildings in the State of Kentucky, and renting or sub-letting such space as they do not require for their immediate needs, and when such office building is so owned, it may be deeded to the Insurance Commissoner of the State of Kentucky, and when said deed is properly recorded, deposited with the Treasurer of the State of Kentucky, for the full amount of its value, as determined by the Insurance Commissioner, and that said home office building, when so deeded to the Insurance Commissioner of the State of Kentucky, shall not be sold or further encumbered, except by the consent of said Insurance Commissioner, joining in the deed for such purpose, and the entire plan and intentions of said life insurance company have been submitted to and approved by said Insurance Commissioner. The Insurance Commissioner, in determining the value of the real estate, herein mentioned, shall give it no higher value than would be adequate to yield at three (3%) per cent, annual interest, the average amount of its net rental for the year next preceding, including a fair rental value for the space occu-

pied by such company; except that if an insurance company shall show to the satisfaction of the Insurance Commissioner that the actual value of such real estate is greater than the value so ascertained, then the actual value of the said real estate as determined by the Insurance Commissioner shall be allowed. Provided further, however, that no domestic life insurance company, hereafter organized, shall invest more than one-fourth of its capital and accumulations, including its policy loans, in such real estate so used by it as its home office building. And provided further that, when such real estate used for such home office building is sold or encumbered, as provided herein by the consent of said Insurance Commissioner of the State of Kentucky, other securities shall be deposited in lieu of same.

"§ 2. All acts and parts of acts in conflict herewith are hereby repealed. And this act shall take effect from and after its passage and approval by the Governor."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Chas. Ashby	John Cook	W. H. Hager
B. S. Bailey	A. S. Cooper	A. L. Hamilton
H. V. Bell	A. A. Demunbrun	L. B. Hamilton
Leroy Bonta	H. L. Dixon	E. C. Hardin
O. V. Brown	W. G. Dycus	B. H. Harris
R. J. Cain	I. H. Gabbard	D. J. Howard
Everett Cobb	Lark Garnett	Joe Huddleston

J. W. Johnson	S. Lee McGohan	Ben Street
W. H. Jones	H. C. McLellen	John W. Swope
Griffin Kelly	W. B. O'Bannon	C. M. Thomas
W. F. Klair	A. J. Oliver	Elmore Thomas
H. A. Knollmann	T. P. Oliver	J. B. Thomas
Joseph Lazarus	W. F. Paris	S. G. Thornberry
J. E. Lilly	Lilburn Phelps	G. C. Waggoner
Harry J. Meyers	Luther Pieratt	G. Frank Walthal
John T. Murphy	H. C. Rice	T. R. Welch
A. J. McCandless	Claude B. Smith	E. G. Young
W. P. McDonogh	R. T. Smith	
H. C. McGehee	T. J. Smith	—55

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 15. An act to amend section 1358, Kentucky Statutes.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 1358, chapter 36, of the Kentucky Statutes, John D. Carroll's edition of 1915, be and the same is hereby amended by adding after the words "mortgage of record" the words "or any lien given under the statute laws of the Commonwealth of Kentucky," and by adding after the words "foreclosure of the mortgage" the words: "or lien."

So that said section when amended shall read as follows:

If any person shall fraudulently sell, conceal or dispose of any personal property on which there is at the time, a mortgage of record or any lien given under the statute laws of the Commonwealth of Kentucky, with intention to prevent the enforcement of the lien thereon, or the foreclosure of the mortgage or lien and sale of the property, he shall be fined not less than ten nor more than one hundred dollars, or imprisonment not less than fifteen nor more than ninety days, or both so fined and imprisoned.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Ed. L. Allen	I. H. Gabbard	H. A. Knollmann
Chas. Ashby	Lark Garnett	Joseph Lazarus
B. C. Beckmann	W. H. Hager	M. E. Lee
H. V. Bell	A. L. Hamilton	J. E. Lilly
Leroy Bonta	L. B. Hamilton	Harry J. Meyers
W. P. Bowman	E. C. Hardin	Clarence Miller
O. V. Brown	B. H. Harris	S. H. Moore
R. J. Cain	D. J. Howard	A. J. McCandless
H. C. Chappell	Joe Huddleston	W. P. McDonogh
Everett Cobb	J. W. Johnson	H. C. McGehee
John Cook	Leslie P. Jones	H. C. McLellen
A. S. Cooper	W. H. Jones	W. B. O'Bannon
A. A. Demunbrun	Griffin Kelly	T. P. Oliver
W. G. Dycus	W. F. Klair	W. F. Paris

Luther Pieratt	Ben Street	F. C. VanHoose
H. C. Rice	John W. Swope	G. C. Waggoner
Avery Sartin	C. M. Thomas	W. N. Winn
Claude B. Smith	Elmore Thomas	E. G. Young
R. T. Smith	S. G. Thornberry	
T. J. Smith	W. F. Trusty	—58

Rosolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 47. An act to repeal and re-enact sections 296 and 297 of the Kentucky Code of Practice relating to the issue, reinstatement, or dissolution of temporary injunctions by a judge of the Court of Appeals.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 296 and section 297 of the Kentucky Codes, be and the same are hereby repealed, and in lieu thereof, that said sections be re-enacted, so as to read as follows:

§ 296. If the circuit court or the judge thereof, upon the application of a plaintiff for a temporary injunction as provided for in chapter 1 of this article, refuse to grant such injunction: or after such injunction has been granted, if the same has been dissolved, the plaintiff may within twenty days apply to a judge of the Court of Appeals for an order directing the circuit court or the judge thereof to issue such

temporary injunction as may be proper, or to reinstate or modify any such injunction as may have been dissolved by such court or judge: and upon motion of the plaintiff the circuit court or the judge thereof in the order refusing or dissolving such injunction shall express in such order that the plaintiff has desired to make such application to a judge of the Court of Appeals; and shall provide that any order of dissolution shall take effect in a reasonable time thereafter, not exceeding twenty days.

2. When such injunction has been granted by an interlocutory order or decree, the party enjoined may within twenty days from the entry of the order or decree, apply to a judge of the Court of Appeals for a dissolution or modification of the injunction.

§ 297. Application to Appellate Judge as to Temporary Injunction.—If a party to an injunction suit desires to make application to a judge of the Court of Appeals for an order for the issue of a temporary injunction or for the reinstatement or dissolution of such injunction as provided in section 296, such party shall give reasonable notice in writing to the party affected thereby of the time and place of such application, and of the motion to be made at such time, and of the judge to whom it is to be made.

Upon the presentation to such judge of the Court of Appeals, of a copy of the record, including the evidence read or offered to be read, and a copy of the notice of such application, the judge of the Court of Appeals shall consider such record and shall make such order as he shall deem proper in the case, either directing that such temporary injunction shall issue or refusing the same or directing a dissolution or modification thereof, as he shall decide. Such order shall be returned by the Appellate Judge to the clerk's office of the circuit court and, when filed in such clerk's office, shall have the same effect as an order made by such circuit court.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Ed. L. Allen	A. L. Hamilton	H. C. McGehee
Chas. Ashby	L. B. Hamilton	S. Lee McGohan
B. S. Bailey	E. C. Hardin	H. C. McLellen
L. D. Baldauf	B. H. Harris	W. B. O'Bannon
W. T. Beckham	D. J. Howard	W. F. Paris
B. C. Beckmann	Joe Huddleston	Lilburn Phelps
H. V. Bell	A. R. Hudson	Luther Pieratt
Leroy Bonta	J. W. Johnson	Richard Radcliffe
W. P. Bowman	Leslie P. Jones	Avery Sartin
J. L. Bradford	W. H. Jones	Claude B. Smith
O. V. Brown	Griffin Kelly	R. T. Smith
R. J. Cain	W. F. Klair	T. J. Smith
T. L. Caudel	H. A. Knollmann	Ben Street
H. C. Chappell	Joseph Lazarus	John W. Swope
Everett Cobb	M. E. Lee	C. M. Thomas
John Cook	J. E. Lilly	Elmore Thomas
A. S. Cooper	Harry J. Meyers	S. G. Thornberry
A. A. Demunbrun	Claude D. Minor	F. C. VanHoose
H. L. Dixon	S. H. Moore	G. C. Waggoner
W. G. Dycus	John T. Murphy	G. Frank Walthal
I. H. Gabbard	Ryland C. Musick	T. R. Welch
Lark Garnett	A. J. McCandless	W. N. Winn
W. H. Hager	W. P. McDonogh	E. G. Young

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Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 195. An act to further provide for the organization, armament, equipment, discipline and government of the militia, and providing for the qualifications and terms of office of certain military officers.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Staff officers, including officers of the pay, inspection, subsistence and medical departments of the Kentucky National Guard hereafter appointed shall have had previous military experience and shall hold their positions until they shall have reached the age of sixty-four years unless retired prior to that time by reason of resignation, disability or for cause to be determined by a court-martial legally convened for that purpose, and vacancies among said officers shall be filled by appointment from the officers of the militia of this Commonwealth.

§ 2. All laws or parts of law in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

B. S. Bailey	L. B. Hamilton	H. C. McGehee
A. L. Baldwin	E. C. Hardin	S. Lee McGohan
W. T. Beckham	B. H. Harris	W. B. O'Bannon
B. C. Beckmann	D. J. Howard	W. F. Paris
H. V. Bell	A. R. Hudson	Luther Pieratt
Leroy Bonta	Chas. L. Hunter	Ote Piper
W. P. Bowman	J. W. Johnson	Avery Sartin
J. L. Bradford	W. H. Jones	Joe Schneider
R. J. Cain	Griffin Kelly	Claude B. Smith
H. C. Chappell	H. A. Knollmann	R. T. Smith
John Cook	S. D. Laughlin	John W. Swope
A. S. Cooper	M. E. Lee	Elmore Thomas
W. P. Cropper	J. E. Lilly	J. B. Thomas
James S. Cruse	Harry J. Meyers	W. F. Trusty
H. L. Dixon	Clarence Miller	J. Wood Vance
I. H. Gabbard	S. H. Moore	G. C. Waggoner
Lark Garnett	John T. Murphy	G. Frank Walthal
W. H. Hager	Ryland C. Musick	T. R. Welch
J. S. Hall	A. J. McCandless	W. N. Winn
A. L. Hamilton	W. P. McDonogh	E. G. Young

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Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 20. An act abolishing the fellow servant rule of law and modifying the doctrine of contributory negligence and assumed risk between master and servant, in actions arising between common carriers and their employes in this State.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That every common carrier by railroad while engaged in commerce in this State shall be liable in damages to any person suffering injury while he is employed by such carrier in such commerce, or in case of the death of such employe, to his or her personal representative for such injury or death to such employe resulting in whole or in part from the negligence of any of the officers, agents, or employes of such carrier, or by reason of any defect or insufficiency, due to its negligence in its cars, engines, appliances, machinery, track, roadbed, docks, boats, wharves or other equipment.

§ 2. In all actions hereafter brought against any such common carrier by railroad, or by virtue of any of the provisions of this act to recover damages for personal injury to any employe, or where such injuries have resulted in his death, the fact that the employe may have been guilty of contributory negligence shall not bar a recovery, but the damages shall be diminished by the jury in proportion to the amount of negligence attributable to such employe: Provided, that no such employe who may have been injured or killed shall be held to have been guilty of contributory negligence in any case where the violation by such common carrier of any statute, State or Federal, enacted for the safety of employes contributed to the injury or death of such employe.

§ 3. That in any action brought against any common carrier by railroad under or by virtue of any of the provisions of this act to recover damages for injuries to, or death of, any employe, such employe shall not be held to have assumed the risk of his employment in any case where the violation by such common carrier of any statute, State or Federal, enacted for the safety of employes contributed to the injury or death of such employe.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Ed. L. Allen	I. H. Gabbard	A. J. McCandless
B. S. Bailey	Lark Garnett	W. P. McDonogh
L. D. Baldauf	W. H. Hager	S. Lee McGohan
A. L. Baldwin	J. S. Hall	W. B. O'Bannon
W. T. Beckham	A. L. Hamilton	W. F. Paris
B. C. Beckmann	E. C. Hardin	Luther Pieratt
H. V. Bell	B. H. Harris	H C. Rice
Leroy Bonta	D. J. Howard	Avery Sartin
W. P. Bowman	Joe Huddleston	Joe Schneider
J. L. Bradford	A. R. Hudson	Claude B. Smith
O. V. Brown	Chas. L. Hunter	R. T. Smith
R. J. Cain	J. W. Johnson	John W. Swope
Everett Cobb	W. H. Jones	Elmore Thomas
John Cook	Griffin Kelly	J. B. Thomas
A. S. Cooper	W. F. Klair	S. G. Thornberry
W. P. Cropper	H. A. Knollmann	W. F. Trusty
James S. Cruse	S. D. Laughlin	J. Wood Vance
J. C. Davis	M. E. Lee	G. C. Waggoner
Harry Dill	J. E. Lilly	G. Frank Walthal
H. L. Dixon	Harry J. Meyers	T. R. Welch
W. G. Dycus	S. H. Moore	W. N. Winn
L. L. Embry	John T. Murphy	E. G. Young

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Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 231. An act to prevent fraudulent advertising in the State of Kentucky.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be unlawful for any person, firm, association, corporation or advertising agency, either directly or indirectly, to display or exhibit to the public in any manner whatever, whether by handbill, placard, poster, picture, film, or otherwise; or to insert or cause to be inserted in any newspaper, magazine or other publication; or to issue, exhibit or in any way distribute or disseminate to the public; or to deliver, exhibit or send to any person, firm, association or corporation any false, untrue or misleading statement, representation or advertisement with intent to sell, barter or exchange any goods, wares or merchandise or anything of value; or to deceive, mislead or induce any person, firm, association or corporation to purchase, discount or in any way invest in or accept as collateral security any bonds, bill, share of stock, note, warehouse receipt or any security; or, with the purpose to deceive, mislead, or induce any person, firm, association or corporation to purchase, make any loan upon or invest in any property of any kind; or use any of the aforesaid methods with the intent or purpose to deceive, mislead or induce any other person, firm or corporation for a valuable consideration to employ the services of any person, firm, association or corporation so advertising such services.

§ 2. That any person, firm or association violating any of the provisions of this act shall, upon conviction thereof, be punished by a fine of not more than $500 or by imprison-

ment of not more than sixty days, or by both fine and imprisonment, in the discretion of the court. A corporation convicted of an offense under the provisions of this act shall be fined not more than $500, and its president or such other officials as may be responsible for the conduct and management thereof shall be imprisoned not more than sixty days, in the discretion of the court.

§ 3. That all acts or parts of acts inconsistent herewith are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	James S. Cruse	Chas. L. Hunter
Chas. Ashby	J. C. Davis	J. W. Johnson
B. S. Bailey	A. A. Demunbrun	Leslie P. Jones
Robert Bays	Harry Dill	W. H. Jones
W. T. Beckham	H. L. Dixon	Griffin Kelly
B. C. Beckmann	W. G. Dycus	W. F. Klair
H. V. Bell	I. H. Gabbard	H. A. Knollmann
Leroy Bonta	Lark Garnett	W. T. Lasley
W. P. Bowman	W. H. Hager	S. D. Laughlin
J. L. Bradford	J. S. Hall	Joseph Lazarus
O. V. Brown	A. L. Hamilton	M. E. Lee
R. J. Cain	E. C. Hardin	J. E. Lilly
Everett Cobb	B. H. Harris	Harry J. Meyers
John Cook	David J. Howard	Clarence Miller
A. S. Cooper	Joe Huddleston	S. H. Moore
W. P. Cropper	A. R. Hudson	John T. Murphy

A. J. McCandless	Avery Sartin	J. Wood Vance
W. P. McDonogh	Joe Schneider	F. C. VanHoose
W. B. O'Bannon	Claude B. Smith	G. C. Waggoner
A. J. Oliver	R. T. Smith	G. Frank Walthal
W. F. Paris	John W. Swope	T. R. Welch
Luther Pieratt	C. M. Thomas	W. N. Winn
Ote Piper	J. B. Thomas	E. G. Young
H. C. Rice	S. G. Thornberry	—71

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz:

S. B. 142. An act to provide a method whereby an election on constitutional amendments, submitted to the people for their approval or rejection, may be contested, providing inspectors and challengers in such election; providing penalties and defining crimes in connection with such election.

S. B. 239. An act entitled: An act to repeal and re-enact subsection 4 of section 2739, Kentucky Statutes, Carroll's edition of 1915, relating to motor vehicles.

S. B. 253. An act relating to public health; to provide state aid to any county, tuberculosis district, or public or private organization not operated for profit, which shall employ a visiting nurse for the cure and prevention of tuberculosis and other diseases, and to render aid in times of war or emergency to the sick, afflicted, injured or distressed from any

cause, under the supervision and direction of the State Board of Health.

S. B. 145. An act to amend and re-enact sections 4329 and 5325 and subsections 5, 10, 12, 14, 18 and 25 of section 4356x of Kentucky Statutes, Carroll's Edition 1915, relating to public roads.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 330. An act relating to suffrage and elections and providing a method of registering voters in this Commonwealth residing outside the city limits of cities of the first, second, third and fourth classes, and fixing penalties for violation of the law.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. In each and every election held in the Commonwealth of Kentucky, after the year nineteen hundred and eighteen, wherein and whereby the voter expresses his suffrage by means of the secret ballot system in all precincts outside of the corporate limits of cities of the first, second, third

and fourth classes and where no means of registration is now provided by law, no ballot shall be delivered to any person offering to vote unless the voter's name appears on the registration book of the precinct in which he offers to vote, and unless such person, upon request of one of the judges of the election, displays his registration card or certificate.

§ 2. Every person in the Commonwealth who is, or who may be as hereinafter set out, qualified to vote in such election and who desires to cast his vote may appear before the county court clerk of the county of the residence of such person, between the first day of April and twenty-fifth day of July, or between the tenth day of August and the tenth day of September (Sundays and legal holidays excepted) of the year nineteen hundred and nineteen, and every four years thereafter, at any hour of the day within said periods when said county court clerk's office is open for transaction of business, and register in a book to be provided for registration purposes. Any voter who should not become registered in said years may register between said dates of any intervening years. And any voter who wishes to change his party affiliation may appear before the clerk between said dates of any year, and upon his request the clerk shall make said change on the registration book. Provided, that the county court clerk shall appoint a deputy clerk for each and every voting precinct in his county, who shall serve as such deputy for one day only, as hereinafter set out. On the day of the primary to be held in the year 1919, and on every primary election day every fourth year thereafter, each deputy clerk so appointed shall be provided with a sufficient number of registration cards and shall be present in the room where such primary election is held and issue to every person registering as herein provided a card showing his registration as provided in other sections of the act. Before delivering to the person registering the card provided for herein, it shall be the duty of the clerk of the election to register, in the same manner as

is provided elsewhere in this act, every person who appears himself for registration. The clerk or one of the judges of the election shall write the name of the person so registering in the appropriate place in the "copy" book in his possession, filling in all blanks in the same manner as the county clerk is directed to fill them in; whereupon, as above provided, the deputy county clerk shall issue his registration card. In this manner any person entitled to register in the precinct shall be so registered, and when so registered shall be entitled to vote in the primary election held on that date and in all subsequent elections as provided in this act until the fourth year thereafter. Any officer of election may challenge the right of such person to register; whereupon, he may be sworn touching his right to so register, and if registered the clerk shall follow the same procedure as is laid down in section three hereof for such cases. When the "copy" book is returned to the county court clerk, he shall immediately copy the names of persons thus registered into the original book for the respective precincts in his office. The election clerk shall be entitled to a fee of two cents per name for each person so registered, and the deputy clerk shall be entitled to a fee of two dollars per day and two cents for each registration card issued, the claims to be certified by the county clerk, and to be paid as is provided in section 17 hereof.

And provided further that whenever in this act a duty is imposed on the county clerk, it may be performed by any deputy county clerk, who shall be subject to all penalties provided herein against the county clerk, and in the primary registration all penalties imposed upon the county clerk for a violation of this law may, when such violations occur, be imposed upon the deputy clerk or the clerk of the election. All election officers shall be liable to the penalties provided in sections 14 and 15 hereof for any violation of law mentioned in said section, and for a falure or refusal to permit the deputy county clerk to enter and remain in the voting room, or for

any interference with such officer in the performance of his duties under this law, shall be punished as provided in section 15 hereof.

§ 3. No person shall be registered who does not personally appear before the county court clerk, except as hereinafter set out, at and within the times hereinbefore set out, and the voter, if he be not known to the clerk, or if any bystander shall challenge the voter's right to register, shall be sworn by the clerk and shall answer any and all questions asked him by the clerk or bystander, touching his qualifications as a voter, or his right to be then and there registered, and, on the registration book opposite the name of the voter, the clerk shall write the words, "sworn as to qualifications." Any voter otherwise qualified, who, on account of age, infirmity or illness, is not able to attend the county clerk's office of the county of his residence during the time between April 1st and September 1st, may, between the first and tenth days of September (both inclusive) be registered in the following manner. He shall present to the clerk by mail or at the hands of some friend an affidavit stating that his failure to appear was due to age, infirmity or illness, and an affidavit of a physician or neighbor corroborating the voter's affidavit. Upon compliance with the foregoing the clerk shall either mail a registration card to said voter, or deliver it to some person designated in writing by said voter to receive it for him.

If any such voter be unknown to the clerk, or if his right to register be challenged, it shall be the duty of the clerk to write opposite his name on the registration book the word "questioned," and it shall be the duty of the election officers, when said voter applies for a ballot, if there be any doubt of his qualification to vote, to swear said voter, who shall, under oath, answer such questions as may be asked him touching his qualifications.

§ 4. Upon being registered on the book, as above required, the clerk shall deliver to the registrant a certificate, attested by the clerk showing that the holder thereof is duly registered, which certificate shall be of good quality of card board, and not larger than three inches in width and five inches in length. Said card shall be in blank, as follows:

Original Registration Card.

....., Kentucky, ..., 191.....
(Name of town or city) (Date)
I, ..., county court clerk of.....
county, Kentucky, do hereby certify that.....
was on this day duly registered by me as a legal voter in
.....precinct No. ....., ... ward, city of
....., county of ....., and
that his name has been entered on the registration books of said precinct.

Attest:

.....
Clerk ..... County Court.

The clerk shall properly fill in all blanks and sign his name to the card and deliver the same to the registrant, or in the case of one registering by affidavit, by mail or to the person designated. Any person whose name appears on the registration book and whose registration certificate has been lost or destroyed may, upon filing his affidavit with the county court clerk, stating the facts, be supplied with a duplicate registration card, in form and substance like the original, except that it shall be a different color, and shall contain the words, "duplicate registration card." For issuing such duplicate card, the registrant shall pay to the clerk a fee of twenty-five cents, and the duplicate shall in all respects be the equivalent of an original certificate, except that the holder thereof shall register originally during the periods fixed in the year following, in the manner hereinbefore provided.

§ 5. It shall be the duty of the county court clerk of each and every county in this Commonwealth to prepare the proper forms of registration books and registration cards for the purpose of registration. He shall have prepared a sufficient number of original cards to furnish to each voter in each precinct a card, and shall also prepare what in his judgment would be a sufficient number of duplicates. He shall provide two registration books for each precinct, one marked "original" and the other "copy." In the original and copy book, he shall enter the names of the voters, with such other facts, data and remarks as may be required, which original he shall at all times keep in a safe place in his office, except that the copy shall be furnished election officers as hereinafter provided. The book marked "copy" shall be an exact duplicate of the original, and in this book the clerk shall copy for each precinct the names of the voters as shown on the original, together with such facts, data and remarks as appear on the original. The copy shall be made from the original within ten days after the tenth day of June and the tenth day of September, respectively, and every year thereafter preceding the next general registration year the clerk shall add such voters as have been duly registered in the original book.

The clerk of the county court shall deliver to the sheriff of the county at the same time he delivers him the ballots for distribution, the book marked "copy," who in turn shall deliver same to the precinct election clerk for use in the election, and the election clerk shall give the sheriff a receipt for same, and it shall be the duty of the clerk of the election to produce (or see that same is produced) the book so delivered to him at the proper polling place in his precinct at the opening of the polls on election day.

§ 6. The registration books shall be arranged so that the names of the voters may be registered alphabetically, together with the number of the precinct, ward, street and residence number, and if the house be not numbered the name of

the nearest neighbor resident. In the rural precincts the registrant shall, besides the number of his voting precinct, give the name of his nearest neighbor. The clerk shall also indicate the color of the registrant, and shall also indicate the party affiliation, by words, letters or abbreviations, such as D. for Democrat; R. for Republican; P. for Prohibitionist; S. for Socialist; S. L. for Socialist Labor; I. for Independent and such like.

The form of the registration book shall be as follows, substantially:

Name of Voter	Residence	Number and Name of Precinct	Nearest neighbor	Color	Party affiliation	Remarks

§ 7. There shall be no supplemental, additional or special registration, except as hereinafter set out. In case a voter moves from a precinct in which he has been registered and an election is to be held prior to the time when such voter may register originally as herein provided, such voter may appear before the clerk, and upon making oath as to his removal and indicating the precinct to which he has removed, the clerk shall, under the heading "remarks" on the book of original registry, write the words "removed to..... precinct" (filling in the name of the precinct to which the voter has removed), and shall at the same time register such voter in the book of the proper precinct and issue to him an

original card entitling the voter to vote in the precinct to which he has removed.

§ 8. Any alien possessing all the qualifications required under the law and Constitution, excepting citizenship, shall be entitled to register, but upon so doing the clerk shall write under the heading "remarks" and on the card issued to such registrant, the words, "not naturalized," but such card and registration shall not entitle the holder thereof to vote, unless at the time he offers to vote he produces to the election officers his naturalization papers issued in due form of law.

§ 9. Any voter may, by giving five days' notice, in writing, to any person whose name has been registered, move the county court to strike his name from the register, and both parties may introduce witnesses, not exceeding two in number, on each side. Said notice must be served personally. If at the hearing the court shall be of the opinion that the person registered is not lawfully entitled to register, it shall direct the clerk to strike his name from the register, by inserting opposite to it the words: "Stricken off by order of the county court." If the person upon whom notice is attempted to be served can not be found, the clerk shall write opposite such name, on the registration book, the word "doubtful," and when at an election such person, whose name is marked "doubtful," shall offer to vote, he shall be sworn, and his right to vote investigated fully.

§ 10. The officers of the election shall, when a vote is cast, mark opposite the name of the person voting in the column headed "remarks" the word "voted," and unless such word be written therein it shall be prima facie evidence that the persons against whose names nothing is written have not voted. It shall be the duty of the clerk of the election to return to the county clerk, on the day of or day immediately succeeding the election, the registration book, for which the clerk shall give him receipt.

§ 11. The furnishing and printing of the registration books, cards or certificates, and all necessary books, printing and paraphernalia, shall be paid for by the respective counties. It shall be the duty of the clerk to preserve the copies used by the election officers in conducting any election from year to year, adding each year the names of the voters registered in the original book. In case the copy or the original should become mutilated, badly torn, destroyed, burned or lost, such books, if possible, shall be replaced or recopied, for which the county shall pay the expenses. In case all books should be destroyed or lost, then a full registration shall be held in the succeeding year as is above provided. The clerk may, if the necessity demands it, copy from either book to the other.

§12. Any county clerk, or deputy county clerk, who shall falsely or fraudulently register the name of any person, or permit any person to register, knowing that such person is not entitled to register, or who fraudulently alter, change or make erasures in or add names to any registration book, or who shall register the name of any person at any other time or times as fixed herein or who shall fail or refuse to deliver to the persons entitled thereto, or to the proper election officers, copies of the registration, or the copy of the books to be used in such elections as they are required to be used for, shall be deemed guilty of a felony and upon conviction punished by confinement in the penitentiary for not less than one, nor more than five years, and shall thereafter be disqualified from holding any elective or appointive office in this Commonwealth.

§ 13. Any person who shall cause himself to be registered in more than one precinct, or in a precinct other than that in which he is a legal voter, or shall register more than once in one precinct, or who shall register under any name other than his real name, or who shall give a false street, street number, or number of his precinct and ward or who in

any manner or method shall cause himself to be registered when he is not legally entitled to register, or any person or officer who shall in any way aid, abet, counsel or advise in the commission of any such act, or acts, shall be deemed guilty of a felony and upon conviction shall be confined in the penitentiary for not less than six months nor more than three years.

§ 14. Any county clerk or election officer, or other person who shall unlawfully alter or change, any registration book, or add any name thereto, or who shall wilfully secrete, suppress, mutilate or destroy, or make or use any false or fraudulent registration book, shall be deemed guilty of a felony, and shall be, upon conviction, confined in the penitentiary for not less than one nor more than five years, and shall thereafter be disqualified from holding any office in this Commonwealth.

§ 15. Any person who shall attempt to or forcibly prevent any person from registering, or shall in any way unlawfully interfere with any person registering, or shall prevent or interfere with a clerk in carrying out his duties with relation to the registration of voters, shall be deemed guilty of a misdemeanor, and shall be fined not less than one hundred, nor ore than five hundred dollars, or imprisoned for not less than six nor more than twelve months, or both in the discretion of the court or the jury.

§ 16. The clerk of the county court shall permit any citizen to inspect at all reasonable hours, or to take copies of any registration book without any fee and he shall also upon request, furnish to any person requesting same, a copy or copies of the registration book, or books, for which he shall receive compensation as provided in the succeeding section.

§ 17. The clerk, for his services in carrying out the provisions of this law, shall be entitled to collect the following fees:

For original registration, two cents for each person registered; for copying from the original registry into the

"copy" book, or for copying from the original for the use of any person, two cents per name, including data and remarks; for making copies of any registration book lost, mutilated or destroyed, two cents per name, data and remarks included; for all services with relation to the purging of the registration, as hereinbefore required, ten cents for every name ordered stricken off; all of which expenses and fees shall be paid by the county, except where the copying be done for an individual requesting the copy.

§ 18. This law shall, in all respects, apply to women voters who may be entitled under the law to vote, except that the clerk shall provide separate registration books for women voters.

§ 19. Nothing in this law shall be construed to prevent any soldier, sailor, officer or employe of the United States Government or officer or employer of the Commonwealth of Kentucky, or any person coming within the meaning of the word "absent voter" from registering in the manner now, or as may hereafter be provided by law.

§ 20. Whenever there may exist in this Commonwealth a voting precinct lying partly without and patly within the corporate limits of a city of the first, second, third or fourth class, then in that event all voters of said precinct residing outside the corporate limits of said city shall register as provided in this act.

Mr. L. P. Jones moved that said bill be laid on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed a bill originating in the House of the following title, viz.:

H. B. 181. An act making it unlawful to take certain varieties of fish from streams forming the boundaries be-

tween this state and any other state from certain navigable and non-navigable streams in this state by seine or net or by hand and providing the necessary regulations therefor and defining the powers and duties of certain officers.

(For said bill see H. J. February 27, 1918.)

With an amendment thereto by way of substitute therefor proposed and adopted by the Senate.

Said amendment by way of substitute for said House Bill No. 181 reads as follows, viz.:

An act making it lawful to take certain varieties of fish from streams forming the boundary between this state and any other state or states, and from the navigable streams in this state by seines or nets, and providing the necessary regulations therefor, defining the powers and duties of certain officers and defining navigable and non-navigable streams.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. A navigable stream within the meaning of this act is a stream which has been improved by locks and dams and a non-navigable stream is one which has not been so improved.

§ 2. That it shall be lawful for any one to take or catch, by the use of seines and hoop nets, without wings, the mesh thereof to be not less than 1½ inches square, any fish from the streams forming the boundary or any part of the boundary between this state and any other state or states, and from the navigable streams in this state, any fish with seines and hoop nets without wings, the mesh thereof to be not less than 2 inches square, which is under lock and dam as defined by section 1 of this act. Provided, further, that no person shall catch or attempt to catch any fish by seines or nets or

place any seines or nets in any of these streams within 200 yards of the mouth of any stream entering into such waters, nor within 200 yards of the mouth of any navigable stream within the state, nor within 200 yards of any lock or dam located on such stream or streams, nor above the last lock and dam in any navigable stream. It shall also be unlawful for any one to operate or have in possession any seines or nets pursuant to the provisions of this act, unless such person or persons shall have procured a license so to do, and a metal tag for the use or possession of each net or seine, and complied with the provisions hereinafter set out. Provided, further, that any large or small mouth black bass, if caught in seines or nets, shall be immediately returned without injury to the water from which taken; provided, further, that no fish shall be caught or taken under the provisions of this act during the month of May of each year, and provided, further, that nothing in this act shall be construed to prevent dealers or manufacturers from having seines or nets in possession for the purpose of sale.

§ 3. County Court Clerks to Issue License and Tags for Seines and Nets for Residents and Non-Residents.—The county court clerk shall issue all fishing license and tags to all residents and non-residents, complying with the provisions of this act, and so sign the same, and shall require the persons to whom the license and tags are issued to sign his or her name on the margin thereof. He shall keep a correct and complete copy of all licenses issued in a book to be furnished by the Game and Fish Commission, which record shall remain in his office and be open to the inspection of the public during all office hours.

§ 4. Money Received From License—How Disposed of.—The county clerk shall retain of the money received for each license issued the sum of twenty-five (25) cents, which cover the swearing of the applicant to the affidavit referred to in this act, and all other services under this act, and shall pay

the balance to the State Treasurer, on the first of each month, which amount shall be converted into the game and fish protection fund, and the said county clerk shall report to the said Game and Fish Commission on the first day of each month the number of licenses issued and the amount of money remitted to the State Treasurer.

§ 5. Licenses Delivered to and Returned by County Court Clerks.—The Game and Fish Commission shall deliver to each county clerk in the state, before April first, 1918, and thereafter ten days before the first of January in each year, as many licenses and tags as may be required, and charge said clerk for the number issued to him. On the 15th day of January of each year, and within ten days thereafter, each county clerk shall return to the commission all unused licenses, stubs of licenses used and unused tags, which he has received for the preceding calendar year. The licenses and tags herein authorized shall specify the calendar year for which it is issued and shall expire on the 31st day of December of said calendar year, except as hereinbefore provided.

§ 6. No Person Shall Seine or Net Fish Without License.—No person shall be entitled to own or store or have in possession any net or seine or to use the same for fishing in the streams above mentioned, unless he has first procured his license and attached a metal tag to each net or seine, as provided for in this act, whether said net or seine is in use or not, except as provided for in section 2 as to dealers and manufacturers.

§ 7. Seining and Netting Fish Without License Prohibited.—Any person who uses a net or seine in this state as authorized by this act, without first procuring a license permitting him or her to do so or any person who loans or transfers his or her fishing license or tag or tags to another, shall be guilty of a misdemeanor and upon conviction shall be fined not less than fifteen ($15.00) nor more than one hundred ($100.00) dollars.

§ 8. Failure to Pay Fine.—If any person or persons convicted for the violation of any of the sections of this statute fail to pay the fine or fines as fixed by any section of this chapter, they shall be confined in the county jail or placed at labor upon the public works of said county for any length of time, not exceeding one day for every one and one-half dollars of such fine.

§ 9. Resident License and Tags for Nets—How Obtained.—Any person who has been a bona fide resident of this state for one year then past, may procure a fisherman's net license and tags for each net to be used for himself or herself, by filing his or her affidavit with the county court clerk of the county in which he or she resides, stating his or her name, age, place of residence, post office address, height, color, color of eyes and hair, giving the number of nets to be used or possessed and the fact whether he or she can write his or her name and by paying the said county clerk the sum of $1.25 for the license and metal tag for one net and $1.00 for each additional tag for each net to be used. When the metal tag is attached to the net it shall be lawful for the licensee to possess or use the nets in any streams mentioned in section 2 of this act, but nothing herein contained shall be construed as authorizing any one to go upon the private property without the owner's consent.

§ 10. Resident License and Tags for Seines.—Any person who has been a bona fide resident of this state for one year then past may procure a fisherman's seine license and tag or tags for himself or herself by filing his or her affidavit with the county court clerk of the county in which he or she resides, stating his or her name, place of residence, post office address, height, color, color of eyes and hair, number of seins to be used or possessed and the fact whether he or she can write his or her name, and paying the said county court clerk the sum of $5.25 for each license and one tag for each seine of one hundred feet in length and $2.00 additional for

each one hundred feet or fraction thereof, when it exceeds one hundred feet in length. When metal tag mentioned in this act is attached to seine, the licensee shall be entitled to possess or use it in any of the streams mentioned in section 2 of this act, but nothing herein contained shall authorize any one to go upon the private property of another without the owner's consent.

§ 11. Non-Resident Fishing License for Nets and Seines and Tags Therefor—How Obtained.—Any non-resident or person who has not been a resident of this state for one year may procure a fisherman's license for nets or seines from any county court clerk in the state the same as a resident, provided, however, that he or she pay double the fees charged residents for a like net or seine license and tags. Said non-resident, when he has complied with the provisions as here set out shall entitle him or her to fish in any of the streams mentioned in section 2 of this act, when the metal tag herein described is attached to the net or seine, but nothing herein contained shall entitle such persons to go upon the private property of another without the owner's consent.

§ 12. Duties of Game and Fish Wardens and Certain Peace Officers.—It shall be the duty of the Game and Fish Wardens or such other person or persons appointed by the Game and Fish Commission, sheriff or his deputies, constable or his deputies and all peace officers within the state to enforce the provisions of this act for the protection, preservation and propagation of fish. They may arrest on sight without warrant any persons detected by them, or any of them in the act of violating any of the provisions of this act. They shall have the same right as sheriff to require aid in arresting without process or with process any person or persons found by them in the act of violating the provisions of this act, or they or any of them shall have authority to seize without process any nets or seines found in the possession of any one, when said nets or seines do not bear a license tag or tags,

and it shall be their duty to destroy any and all nets or seines found in the water within one-quarter of a mile of the mouth of any streams mentioned in section 2 of this act, or within one-quarter of a mile of any lock or dam, and no liability shall be incurred by any person so charged and directed.

§ 13. Blanks and all Other Printed Matter Provided For.—The blank licenses, metal tags and other printed matter necessary to carry out the provisions of this act shall be printed under the directions of the commission, and shall be paid for in a like manner and upon the same terms as other public printing.

§ 14. Penalty for Violating.—Any person violating any provisions of this act shall, upon conviction thereof, be fined not less than fifteen ($15.00) nor more than one hundred ($100.00) dollars.

§ 15. Emergency Declared.—As there is now a great demand for more and reasonable food, this act shall be in full force and effect when signed by the Governor on and after the first day of April, 1918.

Mr. Hardin moved that the House concur in Senate amendments to House Bill No. 181 by way of substitute therefor.

Said motion was agreed to.

Said amendment by way of substitute was concurred in.

The yeas and nays being taken on the final passage of House Bill No. 181, as amended by the Senate, by way of substitute therefor, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	L. D. Baldauf	A. L. Baldwin
B. S. Bailey	J. H. Ballard	W. T. Beckham

B. C. Beckmann
H. V. Bell
Leroy Bonta
W. P. Bowman
J. L. Bradford
O. V. Brown
R. J. Cain
John Cook
A. S. Cooper
Fred Cornelius
W. P. Cropper
James S. Cruse
Harry Dill
W. G. Dycus
F. A. Easterling
J. M. Elliston
Lark Garnett
W. H. Hager
J. S. Hall
A. L. Hamilton
E. C. Hardin
B H. Harris
David J. Howard
A. R. Hudson
Chas. L. Hunter
J. W. Johnson
Leslie P. Jones
Griffin Kelly
W. F. Klair
H. A. Knollmann
W. T. Lasley
S. D. Laughlin
J. E. Lilly
Harry J. Meyers
Clarence Miller
Claude D. Minor
S. H. Moore
John T. Murphy
Ryland C. Musick
H. C. McGehee
S. Lee McGohan
H. C. McLellen
W. B. O'Bannon
A. J. Oliver
T. P. Oliver
W. F. Paris
Lewis Ryans
Joe Schneider
Claude B. Smith
R. T. Smith
Ben Street
John W. Swope
C. M. Thomas
Elmore Thomas
W. F. Trusty
J. Wood Vance
F. C. VanHoose
G. C. Waggoner
G. Frank Walthal
T. R. Welch
W. N. Winn
E. G. Young

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Those who voted in the negative were —

Everett Cobb
A. A. Demunbrun
I. H. Gabbard
L. B. Hamilton
Joe Huddleston
W. H. Jones
A. J. McCandless
Lilburn Phelps
Luther Pieratt
Ote Piper
Avery Sartin
T. J. Smith
J. B. Thomas
S. G. Thornberry

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The House took up for consideration from the orders of the day a bill of the following title, viz.:

S. B. 219. An act to provide for the assessment of all male persons who have reached their majority for poll tax purposes in any county, city, town, school district or other subdivision of this Commonwealth in which a poll tax is levied, and making it a misdemeanor for any person to fail

to comply; prescribing a method of making the said assessment and providing a penalty to be added to all delinquent poll tax; prescribing a method by which the said assessment and the collection thereof shall be made by the assessing and tax collecting official and prescribing a penalty upon the assessing and tax collecting official who shall fail to comply with the requirements of this act.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be the duty of each and every male person who has reached his majority, living in any county of this Commonwealth in which the fiscal court thereof has levied a poll tax pursuant to law, to give, furnish or report to the assessing official of the said county, his name and address for the purpose of being assessed by the said official for the poll tax levied by the fiscal court of said county. Said name and address shall be given, furnished or reported by the said person to the said assessing official within the period of time prescribed by law for the making of said county assessments.

Any person subject to the said poll tax who shall fail to give, furnish or report his name and address as aforesaid to the said assessing official as herein prescribed, shall be guilty of a misdemeanor and upon conviction shall be fined not less than five nor more than ten dollars.

§ 2. Any city, town, school district or any other subdivision of this Commonwealth in which a poll tax is levied shall have the right to copy from the county poll tax assessment the names of any and all persons living in the resepctive city, town, school district of subdivision, who are subject to the said poll tax in said city, town, school district or subdivision, for the purpose of assessing the said persons for poll tax in said city, town, school district or subdivision.

§ 3. A penalty of one hundred per cent shall be added to the poll tax of any person failing to pay said tax in any county, city, town or school district or other subdivision of this Commonwealth wherein the same is levied, after the expiration of the period of time prescribed by law for the payment of taxes in the said county, city, town, school district or subdivision. Said penalty of one hundred per cent shall belong to and go to the tax collecting official of the said county, town, city, school district or subdivision upon his collecting the said poll tax as compensation and same shall be in lieu of all other compensation or penalty due the said collecting official on all delinquent poll tax.

§ 4. It shall be the duty of the assessing official in any county in this Commonwealth in which a poll tax is levied, immediately after the expiration of the time prescribed for the assessment of property in the said county, to have issued from a court of proper jurisdiction warrants against any and all persons failing to comply with the provisions of this act pertaining to their giving, furnishing and reporting to said taxing official their respective names for poll tax assessment.

§ 5. It shall be the duty of the tax collecting official in any county, city, town, school district or other subdivision wherein a poll tax is levied to immediately proceed after the expiration of the time prescribed for the payment of the said tax in said county, to collect the said poll tax and penalty of all delinquent poll tax payers.

§ 6. The assessing official of any county in which a poll tax is levied shall give notice of the requirements of this act as to the poll tax assessment and the penalty attached for failure to comply therewith, at least once a week for four consecutive weeks, beginning with the first week of the period prescribed for making the said assessment, by a notice in a paper published in said county, the cost of such notice to be paid by the county in which the same is given. Likewise it shall be the duty of the tax collecting official of any county,

city, town, school district or other subdivision of this Commonwealth in which a poll tax is levied, to give notice to the public of the penalty to be added to all delinquent poll taxes by notice published in a county paper at least four times, not less than thirty days prior to the last day provided for the paying of said taxes in the said city, town, school district or other subdivision, the cost of said notice to be paid by the tax collecting official.

§ 7. Any county assessing official or any tax collecting official in any county, city, school district or other subdivision of this Commonwealth in which a poll tax is levied, who shall fail to comply with the requirements of this act shall be subject to indictment for a misfeasance in office.

§ 8. All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Bays moved that said bill be laid on the tble.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 202. An act to amend section 2055 of the Kentucky Statutes relating to county health boards in respect to counties containing cities of the first class.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 2055 of the Kentucky Statutes be, and the same is, hereby amended by adding at the end of said section the following words:

"Provided, that in counties containing cities of the first class."

"(1) The county board of health shall furnish the county health officer with automobile transportation, for the use of said county health officer and his assistants in performing their official duties, the cost of the same to be paid by the fiscal court of said county.

"(2) That in said counties the salary of the said county health officer shall be fixed by the county board of health at a sum not exceeding the present salary of $3,000 per annum, the same to be paid by the fiscal court in equal monthly installments, and that the salaries or compensation of the assistants appointed by the county health officer shall be fixed by the county board of health, viz.: (1) The assistant county health officer, who shall be a regular practicing physician of five years' experience and a bacteriologist, with a practical knowledge of chemistry; (2) the recording clerk, who shall be a competent bookkeeper and typewriter; (3) the sanitary inspector, who shall have a practical knowledge of the topography of the county, its watersheds and general conditions regarding drainage and soil pollution, and the assistant sanitary inspector, who shall have a practical knowledge of the topography of the county and its watersheds and be an expert mechanic. But the salaries or compensation of said assistants shall not exceed the sum of $1,500 each per annum and shall be paid by the fiscal court in equal monthly installments."

So that said section 2055 as amended shall read as follows:

It shall be the duty of the State Board of Health to appoint three intelligent and discreet licensed and practicing physicians residing in each county of this state, who, together with the county judge and one person elected by the fiscal court of each county, shall constitute a local board of health for the respective counties in which they reside, and such persons as members of the local board shall hold their office for a term of two years from the date of their appointment

or election, and until their successors are appointed or elected, and such local boards are empowered and it shall be their duty to inaugurate and execute and to require the heads of families and other persons to execute such sanitary regulations as the local board may consider expedient to prevent the outbreak and spread of cholera, smallpox, yellow fever, scarlet fever, diphtheria and other epidemics and communicable diseases, and to this end may bring the infected population under prompt and proper treatment during premonitory or other stages of the disease, and they are empowered to go upon and inspect any premises which they may believe are in an unclean or infectious condition, and it shall be empowered to fix and determine the location of an eruptive hospital for the county, sufficiently remote from human habitation and public highways as in its judgment is safe, and said boards are authorized and shall have power to enforce the rules and regulations adopted by the State Board of Health, and any person who shall fail or refuse, after written notice from the local board or state board to observe or obey the written request, shall be fined not less than ten nor more than one hundred dollars for each day he so fails or neglects and it shall be the duty of physicians practicing their professions in any county in which a local board is organized to report all or any of the above mentioned diseases under their special treatment, and to such local board; and it shall likewise be the duty of the heads of families to report any of said diseases known by them to exist in their respective families, to such local board, or to some member thereof, within twenty-four hours from his or her knowledge of the existence of the disease, and such local board shall make report to the State Board of Health, at least once in every three months—first, of the character of the infections, epidemic and communicable diseases prevailing in their county; second, the number reported as afflicted with such disease; third, the action taken by such board in arresting the progress of epidemics, and the

visible effects of such action, and shall make special reports when they deem it expedient or when required by the state board, and the local board shall receive no compensation for such services. The local board shall appoint a competent practicing physician who shall be the health officer of the county and secretary of the board, whose duties shall be to see that the rules and regulations of the State Board of Health are enforced, and who shall hold his office at the pleasure of said board, and he shall receive a salary the amount of which is to be fixed by the fiscal court at the time, or immediately after his election. In no state of case shall said health officer claim or receive from the county any compensation for his services other than the salary fixed by the fiscal court.

"Provided, that in counties containing a city of the first class:

"(1) The county board of health shall furnish the county health officer with automobile transportation, for the use of the county health officer and his assistants in performing their duties, the cost of the same to be paid by the fiscal court of said county.

"(2) That in said counties the salary of the said county health officer shall be fixed by the county board of health, at a sum not exceeding the present salary of $3,000 per annum, the same to be paid by the fiscal court in equal monthly installments, and that the salaries or the compensation of the assistants appointed by the county health officer shall be fixed by the county board of health, viz.: (1) The assistant county health officer, who shall be a regular practicing physician of five years' experience and a bacteriologist, with a practical knowledge of chemistry; (2) the recording clerk, who shall be a competent bookkeeper and typewriter; (3) the sanitary inspector, who shall have a practical knowledge of the topography of the county, its watersheds and general condition regarding drainage and soil pollution; and the assistant sanitary inspector, who shall have a practical knowledge of the

topography of the county and its watersheds and be an expert mechanic. But the salaries or compensation of said assistants shall not exceed the sum of $1,500 each per annum, and shall be paid by the fiscal court in equal monthly installments."

Whereas, by reason of the presence of the new United States army cantonment in Jefferson county, greatly increased duties have been placed upon the county health office, as set forth in the preamble herein, an emergency is hereby declared to exist, and this act shall take effect from and after its passage by the legislature and approval by the Governor.

Mr. McLellen moved that said bill be laid on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 155. An act to prevent idleness in the Commonwealth of Kentucky during the continuance of the war in which the United States is now engaged, and prescribing the duties of civil and police officers of the state.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. It is hereby declared to be the duty of every able-bodied male resident of this state, between the ages of sixteen and sixty years, to habitually and regularly engage in some lawful, useful and recognized business, profession, occupation or employment whereby he may produce or earn sufficient to support himself and those dependent upon him.

§ 2. From the time this act becomes effective, and thenceforward until six months after the termination of the present war between the United States of America and the

Imperial German Government, any able bodied male resident of this state between the ages of sixteen and sixty, except bona fide students during school term, who shall fail or refuse to regularly and steadily engage for at least thirty-six hours per week in some lawful and recognized business, profession, occupation or employment, whereby he may contribute to the support of himself and those legally dependent upon him, shall be held to be a vagrant within the meaning and effect of this act, and shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than twenty nor more than one hundred dollars for each offense, and as a part of such punishment and sentence such offender shall be by the trial court ordered to work not exceeding sixty days upon the public roads or streets, or upon some other public work being done by and in the county in which such person shall be convicted, or by any municipality therein. One-half of the fair value of any such labor so performed under such sentence shall be paid by such county or municipality receiving the same toward the support of any persons legally dependent upon such vagrant, but if there shall be no such legal dependents, then payment shall be made on account of any labor performed under such judgment. Any labor so required by a judgment of conviction hereunder shall be rendered in all respects as is now provided by law in the case of other prisoners in jail.

Prosecutions hereunder shall be instituted and conducted as other criminal prosecutions, and in no case shall the possession by the accused of money, property or income sufficient to support himself and those legally dependent upon him be a defense to any prosecution under this act. In no case shall the claim by the accused of inability to obtain work or employment be a defense to a prosecution hereunder.

§ 3. All county judges, justices of the peace, mayors and police judges within the state are hereby given jurisdiction to try and punish all offenders under this act, or such prosecution may be by indictment. Each week or portion

thereof that such resident shall continue a vagrant hereunder shall constitute a separate offense, and no appeal shall be allowed from any judgment of conviction for vagrancy, unless the accused shall give bond, with penalty and security to be fixed and approved by the court granting the appeal, conditioned not to violate this act during the pendency of such appeal. Any judgment for the performance of labor hereunder may be suspended by the court pronouncing the same, upon the execution by the person convicted of a bond, with the penalty and security approved by the court, conditioned to comply with the provisions of this act for one year from date of such bond. A violation of the condition of such last mentioned bond shall entitle the state to recover the amount of the penalty thereof, and in addition thereto the convicted person shall be rearrested and required to serve the sentence formerly pronounced against him.

§ 4. For the purposes of this act any male person found in this state shall be deemed a resident, and in any prosecution hereunder, proof that the accused habitually loiters in idleness in streets, roads, depots, pool rooms, hotels, stores or other public places, or that he is habitually intoxicated, or is addicted to use of narcotic drugs, or is a professional gambler, or, being able bodied is supported in whole or in part by the labor of any woman or child, shall be prima facie evidence of vagrancy.

§ 5. It shall be the duty of sheriffs, deputy sheriffs, constables, mayors, marshals, chiefs of police, policemen and all other police officers to arrest any person within the territorial limits of their jurisdiction, whom they believe to be violating the provisions of this act. And said officers shall present the accused before the county judge, justice of the peace, mayor or police judge of their jurisdiction forthwith for trial, and it shall be the further duty of said police officer to summon witnesses to appear before the judge, mayor or justice of the

peace to give any evidence they may possess for or against the accused.

§ 6. County judges shall have concurrent jurisdiction in vagrancy cases under this act with any mayor, justice of the peace or police judge of any jurisdiction within the county of the said county judge.

§ 7. Any sheriff, deputy sheriff, constable, mayor, marshal, chief of police, policeman or other police officer failing to see that the provisions of this act are enforced within the territorial limits of his jurisdiction shall be subject to prosecution for non-performance of duty and removed from office.

§ 8. All acts or parts of acts in conflict with this act, or any part hereof are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	John Cook	J. S. Hall
Chas. Ashby	A. S. Cooper	A. L. Hamilton
W. T. Beckham	W. P. Cropper	E. C. Hardin
B. C. Beckmann	J. C. Davis	B. H. Harris
Leroy Bonta	A. A. Demunbrun	D. J. Howard
W. P. Bowman	H. L. Dixon	Joe Huddleston
O. V. Brown	W. G. Dycus	J. W. Johnson
R. J. Cain	I. H. Gabbard	Leslie P. Jones
H. C. Chappell	Lark Garnett	W. H. Jones
Everett Cobb	W. H. Hager	Griffin Kelly

W. F. Klair	W. P. McDonogh	T. J. Smith
H. A. Knollmann	H. C. McGehee	Ben Street
W. T. Lasley	S. Lee McGohan	John W. Swope
S. D. Laughlin	W. B. O'Bannon	C. M. Thomas
Joseph Lazarus	A. J. Oliver	Elmore Thomas
M. E. Lee	W. F. Paris	J. B. Thomas
J. E. Lilly	Lilburn Phelps	S. G. Thornberry
Harry J. Meyers	Luther Pieratt	J. Wood Vance
Clarence Miller	Ote Piper	F. C. VanHoose
Claude D. Minor	H. C. Rice	G. C. Waggoner
S. H. Moore	Avery Sartin	G. Frank Walthal
John T. Murphy	Joe Schneider	W. N. Winn
Ryland C. Musick	Claude B. Smith	E. G. Young
A. J. McCandless	R. T. Smith	—71

Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 148. An act to amend and re-enact section 5 of an act entitled an act repealing sections 4217, 4217a of the Kentucky Statutes, and requiring permits for certain kinds of merchants, defining temporary and transient merchants and providing for licensing same, regulating the advertising representations and business of such merchants and prescribnig penalties for failure to comply with the provisions of this act.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 5 of chapter 111 of the Acts of 1916, which section 5 reads as follows:

"The provisions of this act shall not apply to sales made to dealers by commercial travelers or selling agents in the

usual course of business or to sheriffs, constables, bona fide assignees, receivers or trustees in bankruptcy or other public officer selling goods, wares and merchandise according to law, nor to any person selling farm and garden produce," be amended by adding thereto the following words:

"Nor shall this act apply to sales made by fire insurance companies or agencies acting for them, which sales are incidental to the adjustment or disposition of fire insurance losses under policies covering merchandise in this Commonwealth. Provided such sales shall be made in the county in which the property is damaged."

And said section, as so amended, is hereby re-enacted to read as follows:

"The provisions of this act shall not apply to sales made to dealers by commercial travelers or selling agents in the usual course of business, or to sheriffs, constables, bona fide assigneess, receivers or trustees in bankruptcy or other public officer selling goods, wares and merchandise according to law, nor to any person selling farm and garden produce, nor shall this act apply to sales made by fire insurance companies or agencies acting for them, which sales are incidental to the adjustment or disposition of fire insurance losses under policies covering merchandise in this Commonwealth, provided such sales shall be made in the county in which the property is damaged."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	J. S. Hall	S. Lee McGohan
Chas. Ashby	A L Hamilton	W. F. Paris
J. H. Ballard	L B Hamilton	Luther Pieratt
A. L. Baldwin	E C Hardin	Ote Piper
B. C. Beckmann	Joe Huddleston	H. C. Rice
Leroy Bonta	Griffin Kelly	Joe Schneider
W. P. Bowman	W. F. Klair	Claude B. Smith
R. J. Cain	H. A. Knollmann	R. T. Smith
H. C. Chappell	S. D. Laughlin	Ben Street
Everett Cobb	M. E. Lee	John W. Swope
John Cook	J. E. Lilly	C. M. Thomas
A. S. Cooper	Harry J. Meyers	J. B. Thomas
J. C. Davis	Clarence Miller	S. G. Thornberry
A. A. Demunbrun	Claude D. Minor	J. Wood Vance
W. G. Dycus	John T. Murphy	G. C. Waggoner
I. H. Gabbard	Ryland C. Musick	W. N. Winn
Lark Garnett	W. P. McDonogh	E. G. Young
W. H. Hager	H. C. McGehee	—53

Those who voted in the negative were—

L. D. Baldauf	A. J. McCandless	T. J. Smith
A. R. Hudson	H. C. McLellen	Elmore Thomas
J. W. Johnson	Avery Sartin	—8

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 305. An act relating to domestic stock fire insurance companies, permitting such companies to issue shares

of stock in ten dollar certificates and validating such as may have been heretofore issued.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. No stock fire insurance company shall be incorporated under the laws of this state with a smaller capital stock than fifty thousand dollars, which stock may be divided into shares of not less than ten dollars each.

§ 2. All certificates of stock heretofore issued by domestic fire insurance companies in good faith of the par value of ten dollars each are now ratified and validated as though same had been issued after the passage of this act. Provided, however, that nothing in this act shall be construed as altering existing laws pertaining to mutual, reciprocal or any other co-operative fire insurance company, asociation or exchange.

§ 3. All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Ed. L. Allen	W. T. Beckham	Everett Cobb
Chas. Ashby	B. C. Beckmann	John Cook
L. D. Baldauf	H. V. Bell	A. S. Cooper
J. H. Ballard	Leroy Bonta	W. P. Cropper
A. L. Baldwin	R. J. Cain	A. A. Demunbrun

H. L. Dixon	W. F. Klair	W. F. Paris
F. A. Easterling	H. A. Knollmann	Lilburn Phelps
J. M. Elliston	S. D. Laughlin	Luther Pieratt
I. H. Gabbard	Joseph Lazarus	Ote Piper
Lark Garnett	M. E. Lee	Richard Radcliffe
M. E. Gilbert	J. E. Lilly	Avery Sartin
W. H. Hager	Harry J. Meyers	Joe Schneider
J. S. Hall	Clarence Miller	Claude B. Smith
A. L. Hamilton	Claude D. Minor	R. T. Smith
L. B. Hamilton	S. H. Moore	Ben Street
E. C. Hardin	John T. Murphy	John W. Swope
D. J. Howard	Ryland C. Musick	C. M. Thomas
A. R. Hudson	A. J. McCandless	Elmore Thomas
Chas. L. Hunter	H. C. McGehee	J. B. Thomas
J. W. Johnson	S. Lee McGohan	J. Wood Vance
Leslie P. Jones	W. B. O'Bannon	T. R. Welch
W. H. Jones	A. J. Oliver	W. N. Winn
Griffin Kelly	T. P. Oliver	E. G. Young

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There voted in the negative—

T. J. Smith —1

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 36. An act to amend and re-enact section 1845, Kentucky Statutes.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 1845, of the Kentucky Statutes, Carroll's 9dition of 1915, be and the same is hereby amended and re-enacted to read as follows:

The members of the court, except the county judge, shall be entitled to four dollars per day for each day they are engaged in holding fiscal court, and also for each day in which they are engaged in actual attendance at the meetings of said court; said compensation to be allowed by said court and to be paid out of the county levy: Provided, that no compensation shall be allowed the members of said court for attendance at the meeting of the committees thereof except in those counties that maintain a system of free turnpikes under the control and supervision of the fiscal court.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Ed. L. Allen	B. C. Beckmann	Everett Cobb
Chas. Ashby	H. V. Bell	John Cook
B. S. Bailey	Leroy Bonta	A. S. Cooper
L. D. Baldauf	W. P. Bowman	Fred Cornelius
J. H. Ballard	J. L Bradford	James S. Cruse
A. L. Baldwin	R. J. Cain	J. C. Davis
Robert Bays	T. L. Caudel	A. A. Demunbrun
W. T. Beckham	H. C. Chappell	Harry Dill

H. L. Dixon	W. F. Klair	Ote Piper
W. G. Dycus	H. A. Knollmann	H. C. Rice
F. A. Easterling	S. D. Laughlin	Lewis Ryans
L. L. Embry	Joseph Lazarus	Avery Sartin
I. H. Gabbard	M. E. Lee	Joe Schneider
Lark Garnett	Harry J. Meyers	Claude B. Smith
M. E. Gilbert	Claude D. Minor	R. T. Smith
W. H. Hager	S. H. Moore	T. J. Smith
J. S. Hall	John T. Murphy	Thomas Spurrier
A. L. Hamilton	Ryland C. Musick	Ben Street
L. B. Hamilton	A. J. McCandless	C. M. Thomas
E. C. Hardin	W. P. McDonogh	Elmore Thomas
B H. Harris	H. C. McGehee	G. F. Thompson
D. J. Howard	S. Lee McGohan	W. F. Trusty
Joe Huddleston	H. C. McLellen	J. Wood Vance
A. R. Hudson	A. J. Oliver	G. C. Waggoner
Chas. L. Hunter	T. P. Olliver	G. Frank Walthal
J. W. Johnson	W. F. Paris	T. R. Welch
W. H. Jones	Lilburn Phelps	
Griffin Kelly	Luther Pieratt	—82

There voted in the negative—

W. T. Lasley	J. E. Lilly	—2

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 107. An act to amend an act entitled: An act to amend and re-enact section 1, chapter 31 of an act entitled: An act providing for the creation of and regulation of private

corporations, approved March 21, 1896, and being section 603 of the Kentucky Statutes, approved March 15, 1898.

Said bill read as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any number of persons not less than seven may associate to establish a corporation for the purpose of conducting a trust business under the provisions of this article, but the capital stock of any such company shall not be less than fifteen thousand ($15,000.00) dollars in counties having a population of over twenty-five thousand and less than forty thousand, and not less than one hundred thousand ($100,000.000) dollars in counties having a population of over forty thousand and less than one hundred thousand and not less than two hundred thousand ($200,000.00) dollars in counties having a population of over one hundred thousand: Provided, that where in any county having a population of twenty-five thousand or more there is a city of the fourth, fifth or sixth class, a trust company may be organized in either of such cities, in said county with a capital stock of not less than twenty-five ($25,000.000) dollars, and a statement of any increase or reduction in the capital stock shall be signed and acknowledged by the president and a majority of the directors, and filed and recorded in the same manner as articles of incorporation.

Any bank now doing business in a county having a population less than one hundred thousand which has been heretofore organized in a city of the third or fourth class at the time of its organization, and which city since organization of said bank has been incorporated into a city of the second class, may, with the consent in writing of a majority in number and interest of its stockholders, organize, by amending its articles of incorporation, as a bank and trust company with a

capital stock of not less than fifty thousand ($50,000.00) dollars which shall be fully paid in before doing business as a bank and trust company; and its stock, if unimpaired, may be converted into stock in the new corporation.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Ed. L. Allen	A. A. Demunbrun	M. E. Lee
Chas. Ashby	Harry Dill	J. E. Lilly
B. S. Bailey	H. L. Dixon	Clarence Miller
L. D. Baldauf	W. G. Dycus	S. H. Moore
J. H. Ballard	J. M. Elliston	John T. Murphy
A. L. Baldwin	I. H. Gabbard	Ryland C. Musick
Robert Bays	Lark Garnett	A. J. McCandless
W. T. Beckham	M. E. Gilbert	W. P. McDonogh
B. C. Beckmann	W. H. Hager	H. C. McGehee
H. V. Bell	J. S. Hall	S. Lee McGohan
Leroy Bonta	A. L. Hamilton	H. C. McLellen
J. L Bradford	L. B. Hamilton	W. B. O'Bannon
O. V. Brown	D. J. Howard	A. J. Oliver
R. J. Cain	Joe Huddleston	T. P. Olliver
T. L. Caudel	A. R. Hudson	W. F. Paris
Everett Cobb	J. W. Johnson	Lilburn Phelps
John Cook	Leslie P. Jones	Luther Pieratt
A. S. Cooper	W. H. Jones	Ote Piper
Fred Cornelius	Griffin Kelly	Lewis Ryans
W. P. Cropper	H. A. Knollmann	Avery Sartin
James S. Cruse	Joseph Lazarus	Joe Schneider

Claude B. Smith	Elmore Thomas	F. C. VanHoose
R. T. Smith	J. B. Thomas	G. Frank Waltnal
T. J. Smith	G. F. Thompson	T. R. Welch
Ben Street	S. G. Thornberry	W. N. Winn
John W. Swope	W. F. Trusty	
C. M. Thomas	J. Wood Vance	—79

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 40. An act to amend section 2514, Kentucky Statutes, Carroll's edition 1915, entitled: Actions that must be brought within fifteen years after accrual of right.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 2514, of the Kentucky Statutes, compiled and edited by John D. Carroll, and issued in the year one thousand nine hundred and fifteen, be, and the same is hereby amended and re-enacted by adding to said section the following language: "And no promise or acknowledgment, or payment of money by any person bound on any bond or obligation for the payment of money secured by a lien shall operate as a prolongation or extension of the time within which such lien may be enforced as against purchasers or creditors, unless the promisor and the holder of the lien before fifteen years after the maturity of debt, shall enter a

memorandum on the margin of the record of the deed or mortgage attested by the clerk, showing that the debt is extended, and for what time it is extended, and the amount still due thereon, so that said section, when amended and re-enacted shall read as follows:

"Civil actions, other than those for the recovery of real property, shall be commenced within the following periods, after cause of action has accrued, and not after; an action upon a judgment or decree of any court of this State or of the United States, or of any State or territory thereof, the period to be computed from the date of the last execution thereon; an action or suit upon a recognizance, bond or written contract; an action upon the official bond of a sheriff, marshal, sergeant, clerk, constable, or any other public officer, or any commissioner, receiver, curator, personal representative, guardian, committee, or trustee appointed by a court or authority of law; an action upon an appeal bond or bond given on a supersedeas, attachment, injunction, order of arrest, or for the delivery of property, or for the forthcoming of property or to obey or perform an order or judgment of court in an action, or upon a bond for costs, or any other bond taken by a court or judge or by an officer pursuant to the directions of a court or judge in an action, or after judgment or decree or upon a replevin, sale or delivery bond taken under execution decree or warrant of distress, upon an indemnifying bond, taken under a statute or upon a bond to suspend a proceeding or sale under execution, distress warrant, order or decree, or other judicial proceedings, or upon a bond or obligation for the payment of money or property, or for the performance of any undertaking shall be commenced within fifteen years after the cause of action first accrued; and no promise, or acknowledgment, or payment of money by any person bound on any bond or obligation for the payment of money secured by a lien shall operate as a prolongation or extension of the time within which such lien may be enforced as

against purchasers or creditors, unless the promisor and the holder of the lien, before fifteen years after the maturity of the debt shall enter a memorandum on the margin of the record of the deed or mortgage, attested by the clerk, showing that the debt is extended, and for what time it is extended, and the amount still due thereon."

§ 2. The payee, shall pay the clerk, a fee of 25 cents for his services.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Ed. L. Allen	J. M. Elliston	Ryland C. Musick
B. C. Beckmann	I. H. Gabbard	A. J. McCandless
Leroy Bonta	M. E. Gilbert	W. P. McDonogh
W. P. Bowman	W. H. Hager	H. C. McGehee
O. V. Brown	J. S. Hall	S. Lee McGohan
R. J. Cain	L. B. Hamilton	W. B. O'Bannon
T. L. Caudel	B H. Harris	A. J. Oliver
H. C. Chappell	D. J. Howard	W. F. Paris
Everett Cobb	A. R. Hudson	Lilburn Phelps
John Cook	Griffin Kelly	Luther Pieratt
A. S. Cooper	W. F. Klair	Ote Piper
Fred Cornelius	H. A. Knollmann	Richard Radcliffe
W. P. Cropper	W. T. Lasley	Lewis Ryans
A. A. Demunbrun	M. E. Lee	Claude B. Smith
H. L. Dixon	J. E. Lilly	R. T. Smith
W. G. Dycus	Clarence Miller	Ben Street
F. A. Easterling	S. H. Moore	John W. Swope

C. M. Thomas	J. Wood Vance	W. N. Winn
G. F. Thompson	F. C. VanHoose	E. G. Young
S. G. Thornberry	G. C. Waggoner	
W. F. Trusty	T. R. Welch	—61

There voted in the negative—

B. S. Bailey	J. C. Davis	J. W. Johnson
		—3

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 206. An act to repeal section 2774 of the Kentucky Statutes, Carroll's edition of 1915, concerning the publication of an act entitled: An act for the government of cities of the first class, approved July 1, 1893.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 2774 of the Kentucky Statutes, Carroll's edition of 1915, concerning the publication of ordinances in cities of the first class, being part of an act entitled, "An act for the government of cities of the first class," approved July 1, 1893, be and the same is hereby repealed.

§ 2. This act shall take effect from and after its passage.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Ed. L. Allen	L. B. Hamilton	Luther Pieratt
B. S. Bailey	D. J. Howard	Ote Piper
L. D. Baldauf	Joe Huddleston	Lewis Ryans
Robert Bays	A. R. Hudson	Avery Sartin
B. C. Beckmann	J. W. Johnson	Claude B. Smith
W. P. Bowman	W. H. Jones	R. T. Smith
J. L Bradford	Griffin Kelly	T. J. Smith
R. J. Cain	H. A. Knollmann	Thomas Spurrier
T. L. Caudel	Joseph Lazarus	John W. Swope
Everett Cobb	M. E. Lee	C. M. Thomas
John Cook	J. E. Lilly	Elmore Thomas
Fred Cornelius	S. H. Moore	J. B. Thomas
W. P. Cropper	John T. Murphy	G. F. Thompson
J. C. Davis	Ryland C. Musick	S. G. Thornberry
A. A. Demunbrun	A. J. McCandless	W. F. Trusty
H. L. Dixon	W. P. McDonogh	J. Wood Vance
F. A. Easterling	H. C. McGehee	F. C. VanHoose
I H. Gabbard	H. C. McLellen	T. R. Welch
Lark Garnett	W. B. O'Bannon	E. G. Young
W. H. Hager	W. F. Paris	
J. S. Hall	Lilburn Phelps	—61

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 207. An act to amend section 2773 of the Kentucky Statutes, Carroll's edition of 1915, concerning the journals of the boards of the general council and the publication of the proceedings of the said boards in cities of the first class, being part of an act entitled: An act for the government of cities of the first class, approved July 1, 1893.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 2773 of the Kentucky Statutes, Carroll's edition of 1915, concerning the journals of the boards of the general council and the publication of the proceedings of the said boards in cities of the first class, being part of an act entitled "An act for the government of cities of the first class," approved July 1, 1893, be and the same is hereby amended by striking out the words, "and immediately after the adjournment of each session the proceedings thereof shall be published once in one English and one German daily paper printed in the city and having the largest permanent circulation in said city. Said newspaper shall be selected annually by the general council upon joint *viva voce* vote, or otherwise, as may be fixed by ordinance," so said section, as amended, shall read as follows:

§ 2773. Each board shall keep a correct journal of its proceedings.

§ 2. This act shall take effect from and after its passage.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Ed. L. Allen	L. B. Hamilton	A. J. Oliver
B. S. Bailey	B H. Harris	W. F. Paris
L. D. Baldauf	D. J. Howard	Lilburn Phelps
A. L. Baldwin	Joe Huddleston	Luther Pieratt
B. C. Beckmann	A. R. Hudson	Ote Piper
Leroy Bonta	Leslie P. Jones	Lewis Ryans
J. L Bradford	W. H. Jones	Avery Sartin
O. V. Brown	Griffin Kelly	Claude B. Smith
R. J. Cain	H. A. Knollmann	R. T. Smith
T. L. Caudel	W. T. Lasley	T. J. Smith
Everett Cobb	Joseph Lazarus	Thomas Spurrier
W. P. Cropper	M. E. Lee	John W. Swope
J. C. Davis	J. E. Lilly	C. M. Thomas
A. A. Demunbrun	Harry J. Meyers	Elmore Thomas
H. L. Dixon	John T. Murphy	G. F. Thompson
W. G. Dycus	Ryland C. Musick	S. G. Thornberry
F. A. Easterling	A. J. McCandless	W. F. Trusty
J. M. Elliston	W. P. McDonogh	J. Wood Vance
I. H. Gabbard	H. C. McGehee	F. C. VanHoose
Lark Garnett	S. Lee McGohan	T. R. Welch
W. H. Hager	H C. McLellen	W. N. Winn
J. S. Hall	W. B. O'Bannon	E. G. Young

—66

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Klair movd that this House do now adjourn to meet again this afternoon at one-thirty o'clock P. M.

Said motion was agreed to.

AFTERNOON SESSION.

Mr. Minor offered the following resolution, viz:

Whereas, Representative A. S. Cooper, of Greenup county, rising to a point of personal privilege, explained to the satisfaction of this House his reasons for being absent and not voting on House Bill No. 316 at the session last evening, therefore,

Be it Resolved, by the House of Representatives of the Commonwealth of Kentucky: That the House express and this is a testimonial of its belief in his honesty and integrity and faithfulness as a member of this House.

Said resolution was adopted.

A message was received from the Senate announcing that they had adopted a resolution of the following title, viz:

S. Res. 16. Resolution for the benefit of R. G. Railey.

Ordered that said resolution lie on the Clerk's desk.

Also, that they had passed bills which originated in the House of the following titles, viz:

H. B. 21. An act to further amend and re-enact section 3194 of the Kentucky Statutes relating to sinking funds in cities of the second class.

H. B. 523. An act to regulate the weighing and sampling of milk.

H. B. 199. An act repealing, amending and re-enacting section 215 of the Acts of 1916, chapter 24, and repealing, amending and re-enacting section 216, chapter 24, Acts 1916, and repealing, amending and re-enacting section 217, chapter 24, Acts 1916, of the compulsory attendance law.

H. B. 112. An act to repeal section 3095 of the Kentucky Statutes and to enact in lieu thereof sections 3095, 3095a, 3095b, 3095c, 3095d, 3095e, 3095f, 3095g and 3095h relating to the condemnation of property for public purposes of cities of the second class.

H. B. 269. An act to amend section 3462, chapter 89, Kentucky Statutes, relating to the government of the third class cities, and providing for election of board of education.

H. B. 471. An act to provide a lien on motor vehicles for services or work done, or for accessories, or supplies furnished by garages, mechanics, repairmen or other individuals or corporations.

A message was received from the Senate announcing that they had concurred in amendments Nos. 1 and 2 proposed by the House of Representatives to Senate Bill No. 329, and had refused to concur in amendment No. 3 to said bill.

Mr. Hardin moved that the House refuse to recede from House amendment No. 3 to Senate Bill No. 329.

Said motion was agreed to.

And the House refused to recede from said amendment.

A message was received from the Senate announcing that they had passed a bill originating in the House of the following title, viz:

H. B. 281. An act to amend and re-enact sections 3800a and 3813 (19), Kentucky Statutes, Carroll's edition of 1915; said section 3800a relating to assistant deputy wardens of the penitentiaries of the Commonwealth of Kentucky and said section 3813 (19) relating to salaries of officers and guards of said penitentiaries.

(For said bill see H. J. March 5th, 1918.)

With Senate amendments proposed thereto.

Said Senate amendments to House Bill No. 281 are as follows, viz:

(1) By striking therefrom the whole of section 1, being lines 1 to 19 inclusive.

(2) By striking out in line 10, section 2, page 2 of the printed bill, the word "five" where said word occurs in said line and insert in lieu of said words where they occur in said line the word "two;" and in lines 11 and 12 of said section the word "five" where said word occurs in each of said lines and insert in lieu thereof the word "two" in each of said lines, and in line 13 of said section strike out the words "one hundred" and insert in lieu thereof the word "ninety."

(3) Amend House Bill 281 by striking out all thereof following the words: "An Act to amend and re-enact" and by substituting therefor the following: Section 3813 (19) Kentucky Statutes, Carroll's edition 1915, relating to salaries of officers and guards of the penitentiaries of the Commonwealth."

Mr. Hardin moved that the House concur in said Senate amendments to House Bill No. 281.

Said motion was agreed to.

Said amendments were concurred in.

The yeas and nays being taken on the final passage of said bill, as amended by the Senate, in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were—

Chas. Ashby	W. H. Hager	A. J. Oliver
B. S. Bailey	J. S. Hall	T. P. Olliver
L. D. Baldauf	A. L. Hamilton	W. F. Paris
A. L. Baldwin	E. C. Hardin	H. C. Rice
W. T. Beckham	D. J. Howard	Lewis Ryans
B. C. Beckmann	A. R. Hudson	Joe Schneider
H. V. Bell	Chas. L. Hunter	Claude B. Smith
W. P. Bowman	J. W. Johnson	R. T. Smith
J L Bradford	Leslie P. Jones	T. J. Smith
O. V. Brown	Griffin Kelly	Thomas Spurrier
R. J. Cain	W. F. Klair	Ben Street
T. L. Caudel	H. A. Knollmann	John W. Swope
H. C. Chappell	S. D. Laughlin	C. M. Thomas
John Cook	J. E. Lilly	J. T. Thornton
Fred Cornelius	Harry J. Meyers	S. G. Thornberry
W. P. Cropper	Claude D. Minor	W. F. Trusty
J. C. Davis	John T. Murphy	F. C. VanHoose
A. A. Demunbrun	Ryland C. Musick	G. C. Waggoner
F. A. Easterling	W. P. McDonogh	G. Frank Walthal
J. M. Elliston	H. C. McGehee	T. R. Welch
I. H. Gabbard	S. Lee McGohan	W. N. Winn
M. E. Gilbert	W. B. O'Bannon	E. G. Young

—66

There voted in the negative—

H. L. Dixon	W. T. Lasley	Avery Sartin
L. B. Hamilton	Lilburn Phelps	J. Wood Vance
Joe Huddleston	Ote Piper	

—8

A message was received from the Senate announcing that they had passed a bill which originated in the House of the following title, viz:

H. B. 497. An act to put into effect the amendment to section 201 of the Constitution, being chapter 125 of the Acts of the General Assembly of 1916, adopted by the voters of the Commonwealth at the November election, 1917; to give to the Railroad Commission jurisdiction over the purchase or lease of one telephone company by another as required by such amendment.

(For said bill see H. J. March 11, 1918.)

With Senate amendment proposed thereto.

Said amendment proposed by the Senate is as follows, viz:

Amend House Bill 497 (as printed) by adding to section one, at the end of line 14, the following words: "This act is not intended to deprive any governmental agency of any power now invested in it by law to regulate and supervise such companies, and their exchanges, lines, rates, and tolls."

Mr. Hardin moved that the House concur in said Senate amendment to House Bill No. 497.

Said motion was agreed to.

Said amendment was concurred in.

The yeas and nays being taken on the final passage of said bill, as amended by the Senate, in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were—

Chas. Ashby	E. C. Hardin	A. J. Oliver
B. S. Bailey	A. R. Hudson	W. F. Paris
J. H. Ballard	Chas. L. Hunter	Lilburn Phelps
Robert Bays	J. W. Johnson	Richard Radcliffe
B. C. Beckmann	Leslie P. Jones	H. C. Rice
Leroy Bonta	W. H. Jones	Avery Sartin
W. P. Bowman	Griffin Kelly	Joe Schneider
R. J. Cain	W. F. Klair	Claude B. Smith
H. C. Chappell	H. A. Knollmann	R. T. Smith
Everett Cobb	W. T. Lasley	T. J. Smith
A. S. Cooper	S. D. Laughlin	Thomas Spurrier
W. P. Cropper	Joseph Lazarus	Ben Street
J. C. Davis	J. E. Lilly	John W. Swope
A. A. Demunbrun	Harry J. Meyers	C. M. Thomas
Harry Dill	Claude D. Minor	Elmore Thomas
H. L. Dixon	S. H. Moore	J. B. Thomas
W. G. Dycus	John T. Murphy	G. F. Thompson
F. A. Easterling	Ryland C. Musick	J. T. Thornton
J. M. Elliston	A. J. McCandless	W. F. Trusty
I. H. Gabbard	W. P. McDonogh	J. Wood Vance
Lark Garnett	H. C. McGehee	F. C. VanHoose
W. H. Hager	S. Lee McGohan	G. C. Waggoner
A. L. Hamilton	H. C. McLellen	W. N. Winn
L. B. Hamilton	W. B. O'Bannon	E. G. Young

—72

A message was received from the Senate announcing that they had passed a bill which originated in the House of the following title, viz:

H. B. 402. An act to repeal and re-enact sub-section 4 of section 331a of Kentucky Statutes, Carroll's edition, relating to the employment of children.

(For said bill see H. J. March 14th, 1918.)

With Senate amendments proposed thereto.

Said Senate amendments proposed thereto are as follows, viz:

(1) Amend House Bill 402 by striking out in the printed bill in lines 74 and 75 the following: "Regulation 8 of the Rules and Regulations Governing the Federal Law," and substituting the following: "The provisions of this act."

(2) By striking out in line 80 the word "Secretary" and substituting therefor the word "Commissioner."

(3) By striking out in lines 90 and 91 the following: "Section 5 of the Rules and Regulations governing the Federal Law," and substituting therefor the following: "This act."

Mr. Hardin moved that said Senate amendments proposed to House Bill No. 402 be concurred in.

Said motion was agreed to.

Said amendments were concurred in.

The yeas and nays being taken on the final passage of said bill, as amended by the Senate, in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were—

Chas. Ashby	W. P. Cropper	E. C. Hardin
B. S. Bailey	James S. Cruse	D. J. Howard
W. J. Bailey	A. A. Demunbrun	J. W. Johnson
A. L. Baldwin	H. L. Dixon	Leslie P. Jones
W. T. Beckham	W. G. Dycus	W. H. Jones
B. C. Beckmann	I. H. Gabbard	Griffin Kelly
W. P. Bowman	Lark Garnett	W. F. Klair
J L Bradford	W. H. Hager	H. A. Knollmann
O. V. Brown	J. S. Hall	W. T. Lasley
R J. Cain	A. L. Hamilton	S. D. Laughlin
John Cook	L. B. Hamilton	Joseph Lazarus

J. E. Lilly	W. F. Paris	John W. Swope
Harry J. Meyers	Lilburn Phelps	C. M. Thomas
Claude D. Minor	Luther Pieratt	Elmore Thomas
S. H. Moore	H. C. Rice	J. B. Thomas
John T. Murphy	Avery Sartin	G. F. Thompson
Ryland C. Musick	Joe Schneider	J. T. Thornton
W. P. McDonogh	Claude B. Smith	S. G. Thornberry
H. C. McGehee	R. T. Smith	G. C. Waggoner
W. B. O'Bannon	Thomas Spurrier	W. N. Winn
A. J. Oliver	Ben Street	—62

A message was received from the Senate announcing that they had passed a bill which originated in the House of the following title, viz:

H. B. 380. An act to amend and re-enact section 30 of chapter 1 of the Acts of the Etraordinary Session of the General Assembly of 1917, and also to repeal and re-enact section 4239d of the Kentucky Statutes, edition 1915, relating to the duties and compensation of the county clerk in making certification of tax books, making out tax bills and recapitulation sheets.

(For said bill see H. J. March 16th, 1918.)

With Senate amendment proposed thereto.

Said amendment proposed by the Senate is as follows, viz:

(1) Amend House Bill 380, as printed, by striking out in lines 18 and 19 the following words: "Provided that this act shall affect counties containing cities of the second class only."

Mr. Hardin moved that the House concur in Senate amendment proposed to House Bill No. 380.

Said motion was agreed to.

Said amendment was concurred in.

The yeas and nays being taken on the final passage of said bill as amended by the Senate, in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

Chas. Ashby	D. J. Howard	Luther Pieratt
B. S. Bailey	A. R. Hudson	H. C. Rice
L. D. Baldauf	Chas. L. Hunter	Lewis Ryans
J. L Bradford	J. W. Johnson	Joe Schneider
T. L. Caudel	Leslie P. Jones	Claude B. Smith
H. C. Chappell	W. H. Jones	R. T. Smith
Everett Cobb	W. F. Klair	Thomas Spurrier
John Cook	H. A. Knollmann	Ben Street
W. P. Cropper	S. D. Laughlin	John W. Swope
James S. Cruse	Joseph Lazarus	C. M. Thomas
A. A. Demunbrun	M. E. Lee	Elmore Thomas
Harry Dill	J. E. Lilly	G. F. Thompson
H. L. Dixon	Harry J. Meyers	S. G. Thornberry
J. M. Elliston	Claude D. Minor	W. F. Trusty
I. H. Gabbard	S. H. Moore	J. Wood Vance
Lark Garnett	Ryland C. Musick	F. C. VanHoose
M. E. Gilbert	A. J. McCandless	G. Frank Walthal
W. H. Hager	W. P. McDonogh	T. R. Welch
J. S. Hall	H. C. McGehee	W. N. Winn
A. L. Hamilton	W. B. O'Bannon	E. G. Young
E. C. Hardin	A. J. Oliver	
B H. Harris	W. F. Paris	—64

There voted in the negative—

W. G. Dycus	Joe Huddleston	W. T. Lasley
L. B. Hamilton		—4

A message was received from the Senate announcing that they had passed a bill which originated in the House of the following title, viz:

H. B. 127. An act for the benefit of the Kentucky School for the Deaf, white and colored, carrying an appropriation of fifty dollars increase in per capita, and special appropriation of twelve thousand nine hundred fifty dollars.

(For said bill see H. J. March 16th, 1918.)

With Senate amendments proposed thereto.

Said Senate amendments proposed to House Bill No. 127 are as follows, viz:

Amend House Bill 127 in the Senate by striking out all of said bill beginning with section 1 and including said section and section 2, section 3, section 4 and section 5 and substituting therefor the following:

§ 1. Whereas, there has been a great increase in the price of provisions and commodities of all kinds consumed and used by the above said schools during the past two years, thus making it impossible to maintain them properly for the usual full term of each year on the present appropriations received from the State Treasury, therefore, be it now enacted by the General Assembly of Kentucky, that subsection 2 and subsection 3 of section 298d, be amended and reenacted so that the per capita allowance for each of the above said schools is hereby increased from one hundred and fifty dollars ($150.00) per annum for each pupil to two hundred dollars ($200.00) per annum for each pupil.

§ 2. For the purpose of equipping the printing department of the school for the white deaf to better prepare the pupils in obtaining positions upon leaving school, the sum of four thousand two hundred and fifty dollars ($4,250.00) is hereby appropriated for a type-setting machine and for other necessary printing office equipment and supplies.

§ 3. To rebuild the walls of the four boilers and reset same in the power plant of the school for the white deaf

there is hereby appropriated the sum of four hundred and fifty dollars ($450.00.)

§ 4. For the purpose of furnishing motive power for the various machines in the carpenter shop of the school for the white deaf there is hereby appropriated the sum of three hundred dollars ($300.00) to purchase one or more electric motors.

Section 5. The said appropriations made under this act shall be paid to the Board of Commissioners of the Kentucky Schools for the Deaf, white and colored, in the same manner as already provided by law, and any unexpended balance of the appropriations under sections two, three, four and five of this act shall cover into the State Treasury.

Section 6. Because of the urgent need of the funds hereby appropriated, an emergency is declared to exist, and this act shall take effect from and after its approval by the Governor.

Mr. Hardin moved that the House concur in Senate amendments to House Bill No. 127.

Said motion was agreed to.

Said amendments were concurred in.

The yeas and nays being taken on the final passage of said bill, as amended by the Senate, in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were—

Chas. Ashby	W. P. Bowman	Fred Cornelius
B. S. Bailey	J. L Bradford	James S. Cruse
J. H. Ballard	O. V. Brown	A. A. Demunbrun
A. L. Baldwin	R. J. Cain	H. L. Dixon
W. T. Beckham	H. C. Chappell	W. G. Dycus
B. C. Beckmann	John Cook	F. A. Easterling

I. H. Gabbard
Lark Garnett
M. E. Gilbert
W. H. Hager
J. S. Hall
E. C. Hardin
D. J. Howard
Joe Huddleston
A. R. Hudson
Chas. L. Hunter
J. W. Johnson
Leslie P. Jones
W. H. Jones
Griffin Kelly
W. F. Klair
H. A. Knollmann
S. D. Laughlin
M. E. Lee
J. E. Lilly
Harry J. Meyers
Clarence Miller
Claude D. Minor
S. H. Moore
John T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
H. C. McGehee
W. B. O'Bannon
T. P. Oliver
W. F. Paris
Luther Pieratt
H. C. Rice
Avery Sartin
Joe Schneider
Claude B. Smith
R. T. Smith
T. J. Smith
Thomas Spurrier
Ben Street
John W. Swope
C. M. Thomas
Elmore Thomas
J. B. Thomas
S. G. Thornberry
J. Wood Vance
F. C. VanHoose
G. Frank Walthal
T. R. Welch
W. N. Winn
E. G. Young

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The House took up for consideration from the orders of the day a bill entitled:

S. B. 68. An act to amend and re-enact section 127 of chapter 24, Acts 1916, of the General Assembly, so as to give magistrates and police courts of this State concurrent jurisdiction with the county courts in violations of the compulsory school laws.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 217 of chapter 24 of the Acts of 1916, of the General Assembly of the Commonwealth of Kentucky, be and the same is hereby amended by striking therefrom in line 3, the words "exclusive jurisdiction," and inserting in lieu thereof, the words "concurrent jurisdiction with the

magistrate and police courts of the county and cities which is hereby conferred on the magistrate courts within their respective counties, and the city courts within the corporate limits of the respective cities," so that said section when so amended and re-enacted shall read as follows:

The county courts of the respective counties of the Commonwealth shall have concurrent jurisdiction with the magistrate and police court of the county and cities which is hereby conferred on the magistrate courts within their respective counties, and the city courts within the corporate limits of the respective cities, of all cases coming within the terms and provisions of this act, and any fines or penalties shall be recovered by capias pro fine as other fines are collected. Provided, that the police court of any city, or any magistrate, may transfer any such case to the county court for trial so as not to interfere with juvenile courts in the trial of such cases.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the affirmative were—

J. H. Ballard	O. V. Brown	James S. Cruse
A. L. Baldwin	R. J. Cain	A. A. Demunbrun
B. C. Beckmann	H. C. Chappell	H. L. Dixon
H. V. Bell	John Cook	W. G. Dycus
Leroy Bonta	A. S. Cooper	F. A. Easterling
W. P. Bowman	Fred Cornelius	J. M. Elliston
J. L Bradford	W. P. Cropper	I. H. Gabbard

Lark Garnett	M. E. Lee	Lewis Ryans
W. H. Hager	J. E. Lilly	Avery Sartin
J. S. Hall	Harry J. Meyers	Joe Schneider
E. C. Hardin	Claude D. Minor	Claude B. Smith
B H. Harris	John T. Murphy	T. J. Smith
D. J. Howard	Ryland C. Musick	Thomas Spurrier
A. R. Hudson	A. J. McCandless	Ben Street
Chas. L. Hunter	W. P. McDonogh	John W. Swope
J. W. Johnson	H. C. McGehee	C. M. Thomas
Leslie P. Jones	S. Lee McGohan	W. F. Trusty
W. H. Jones	H. C. McLellen	F. C. VanHoose
W. F. Klair	W. B. O'Bannon	G. C. Waggoner
H. A. Knollmann	Luther Pieratt	W. N. Winn
W. T. Lasley	Ote Piper	E. G. Young
Joseph Lazarus	H. C. Rice	—65

Resolved, that the title thereof be as aforesaid.

A message was received from the Senate announcing that they had concurred in amendments proposed by the House of Representatives to Senate Bill No. 316.

Also, that they had concurred in House amendments to Senate Bill No. 274.

Mr. T. J. Smith offered the following resolution, viz:

Whereas, the people of Frankfort have been very courteous and liberal in extending to the members of the General Assembly a most hearty welcome to this city, and have expressed many compliments in behalf of this honorable body, therefore,

Be It Resolved, That we extend to the citizens of Frankfort our hearfelt thanks for their kindness while in the city.

Said resolution was adopted.

A message was received from the Senate announcing that they had passed a bill originating in the House of the following title, viz:

H. B. 21. An act to further amend and re-enact section 3194 of the Kentucky Statutes relating to sinking funds in cities of the second class.

(For said bill see H. J. January 31, 1918.)

With Senate amendments proposed thereto.

Said amendments proposed by the Senate are as follows:

Amend H. B. 21 by striking out the words in lines 14 to 22, of the original bill, the following:

"Whenever there shall be a surplus of said funds which can not be applied on such terms to the extinguishment of said liabilities, the commissioners may invest the same in bonds of said city, for which it is liable in its corporate capacity, or in any improvement bonds issued by such city in pursuance of section 3102 of the Kentucky Statutes, or in any bonds of the State of Kentucky, or of the United States; or they may loan said surplus with such securities as collateral or upon first mortgage of real estate situated in Kentucky and worth at least double the amount loaned thereon," and insert in lieu thereof the following:

"Whenever there shall be a surplus of said funds which cannot be applied on such terms to the extinguishment of said liabilities, the commissioners may invest the same in bonds of said city, for which it is liable in its corporate capacity, or in bonds of the State of Kentucky, or of the United States; or may invest said funds in such other interest-bearing or dividend-paying securities as now authorized, or which may hereafter be authorized, by section 4706 of the Kentucky

Statutes, or other general law of the State, for the investment of funds held by persons or corporations in a fiduciary capacity."

Mr. Hardin moved that the House concur in said Senate amendment to House Bill No. 21.

Said motion was agreed to.

Said amendments were concurred in.

The yeas and nays being taken on the final passage of House Bill No. 21, as amended by the Senate, in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were—

Chas. Ashby	Joe Huddleston	Luther Pieratt
B. C. Beckmann	A. R. Hudson	H. C. Rice
H. V. Bell	J. W. Johnson	Avery Sartin
Leroy Bonta	W. H. Jones	Joe Schneider
O. V. Brown	W. F. Klair	Claude B. Smith
R. J. Cain	H. A. Knollmann	R. T. Smith
T. L. Caudel	Joseph Lazarus	T. J. Smith
John Cook	M. E. Lee	John W. Swope
James S. Cruse	Harry J. Meyers	C. M. Thomas
A. A. Demunbrun	S. H. Moore	Elmore Thomas
H. L. Dixon	John T. Murphy	J. B. Thomas
W. G. Dycus	Ryland C. Musick	G. F. Thompson
J. M. Elliston	A. J. McCandless	J. T. Thornton
I. H. Gabbard	W. P. McDonogh	J. Wood Vance
Lark Garnett	H. C. McGehee	G. C. Waggoner
W. H. Hager	S. Lee McGohan	G. Frank Walthal
L. B. Hamilton	W. B. O'Bannon	T. R. Welch
B. H. Harris	T. P. Oliver	W. N. Winn
D. J. Howard	W. F. Paris	E. G. Young

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A message was received from the Senate announcing that they had passed a bill originating in the House of the following title, viz:

H. B. 136. An act to amend chapter 22b, section 415b, subsections 6 and 15 of Carroll's Kentucky Statutes, 1915 edition, entitled: "An act to repeal and re-enact an act entitled: An act granting pensions to indigent and disabled Confederate soldiers," which became a law March 18, 1914.

(For said bill see H. J. March 5th, 1918.)

With Senate amendments proposed thereto.

Said amendments to House Bill No. 136 are as follows, viz:

Amend House Bill No. 136 in Senate as follows:

(1.) Amend section 1 by striking out the number "1900" in line 13, and inserting in lieu thereof the number "1890."

(2.) Further amend section 1 by striking out the words and figures "fifteen ($15.00) dollars" and inserting in lieu thereof the words and figures "twelve ($12.00) dollars."

(3.) Further amend section 1 by striking therefrom all of the language beginning with the words "any soldier" in line twenty-eight and ending with the words "of the war" at the end of line 34.

(4.) Amend section 2 of the said bill by striking from line forty-one the words and figures "fifteen ($15.00) dollars" and inserting in lieu thereof the words and figures "twelve ($12.00) dollars."

(5.) Further amend section 2 by striking out the words "day of filing the application in said commissioner's office" in line forty-two and inserting in lieu thereof "first day of August, 1918."

(6.) Further amend said bill by adding section 3 after line forty-six and before line fifty-seven, which section shall read as follows:

Any person entitled to a pension under the provisions of this act, who shall foreit same by taking up his residence in another State, may have same restored to him by making application to the Commissioner of Pensions, if he returns to the State in good faith to keep up his actual residence in the State.

Mr. Claude M. Thomas moved that the House concur in said Senate amendments to House Bill No. 136.

Said motion was agreed to.

Said amendments were concurred in.

The yeas and nays being taken on the final passage of House Bill No. 136, as amended by the Senate, in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were—

B. S. Bailey	H. L. Dixon	J. W. Johnson
L. D. Baldauf	W. G. Dycus	Leslie P. Jones
J. H. Ballard	F. A. Easterling	Griffin Kelly
W. T. Beckham	J. M. Elliston	W. F. Klair
B. C. Beckmann	I. H. Gabbard	H. A. Knollmann.
H. V. Bell	Lark Garnett	W. T. Lasley
Leroy Bonta	M. E. Gilbert	S. D. Laughlin
J. L Bradford	W. H. Hager	M. E. Lee
O. V. Brown	J. S. Hall	Harry J. Meyers
R. J. Cain	A. L. Hamilton	Clarence Miller
T. L. Caudel	L. B. Hamilton	S. H. Moore
John Cook	E. C. Hardin	John T. Murphy
A. S. Cooper	D. J. Howard	Ryland C. Musick
James S. Cruse	A. R. Hudson	A. J. McCandless

W. P. McDonogh	Joe Schneider	S. G. Thornberry
H. C. McGehee	Claude B. Smith	J. Wood Vance
S. Lee McGohan	R. T. Smith	F. C. VanHoose
H. C. McLellen	T. J. Smith	G. C. Waggoner
T. P. Oliver	Ben Street	G. Frank Walthal
W. F. Paris	John W. Swope	T. R. Welch
Lilburn Phelps	C. M. Thomas	W. N. Winn
Luther Pieratt	Elmore Thomas	E. G. Young
Ote Piper	J. B. Thomas	
Avery Sartin	J. T. Thornton	—70

A message was received from the Senate announcing that they had passed a bill which originated in the House of the following title, viz:

H. B. 256. An act to repeal and re-enact subsections 1, 3, 4, 8, 12, 14 and 26 of section 4421-A, of the Kentucky Statutes, Carroll's edition of 1915, and to repeal and re-enact section 4421-B of Kentucky Statutes, Carroll's edition of 1915, and to repeal and re-enact section 1 of chapter 8 of the Acts of the General Assembly of Kentucky of 1916, all relating to the adoption, sale and distribution of school text books in the State of Kentucky and in the cities of the first, second, third and fourth class.

(For said bill see H. J. March 12th, 1918.)

With Senate amendments proposed thereto.

Said Senate amendments proposed to House Bill No. 256 are as follows, viz:

(1) Amend H. B. 256 in Senate by inserting between the words "furnished" and "all" in line No. 7, section 4 the following, viz.:

"Any person, corporation, company or association proposing to bid for a contract to furnish text books under the

provisions of this act shall lodge with his or its bid a sample copy of the text book proposed to be furnished, which text book after contract is entered into shall be safely kept in the office of the Superintendent of Public Instruction, and such person, company, corporation or association shall, during the existence of such contract, deliver to the dealer as provided in this act, text books equal in binding, finishing and material to said sample copy and shall furnish the same under such contract at a price not exceeding the price at which the same or substantially the same book may be furnished or delivered to the dealer, patron or pupil in any other state of the United States. If such person, company, corporation or association fails, neglects or refuses to furnish text books under such contract as herein provided, a recovery on the bond provided herein may be had in any county in this State in which such failure, neglect or refusal may occur in an action by the county superintendent of such county on said bond.

(2) Amend House Bill 256 as printed, by striking out these words: "According to the provisions of this law," which words are consecutive in line 14, section 8.

Mr. Claude M. Thomas moved that said Senate amendments to House Bill No. 256 be concurred in.

Said motion was agreed to.

Said amendments were concurred in.

The yeas and nays being taken on the final passage of House Bill No. 256, as amended by the Senate, in accordance with the provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were—

A. L. Baldwin	Leroy Bonta	O. V. Brown
B. C. Beckmann	W. P. Bowman	R. J. Cain
H. V. Bell	J. L. Bradford	John Cook

A. S. Cooper	Griffin Kelly	Avery Sartin
James S. Cruse	W. F. Klair	Joe Schneider
A. A. Demunbrun	H. A. Knollmann	Claude B. Smith
F. A. Easterling	W. T. Lasley	R. T. Smith
J. M. Elliston	S. D. Laughlin	T. J. Smith
I. H. Gabbard	Joseph Lazarus	Ben Street
Lark Garnett	Harry J. Meyers	John W. Swope
M. E. Gilbert	Clarence Miller	C. M. Thomas
W. H. Hager	Claude D. Minor	Elmore Thomas
J. S. Hall	S. H. Moore	J. B. Thomas
A. L. Hamilton	John T. Murphy	S. G. Thornberry
L. B. Hamilton	Ryland C. Musick	J. Wood Vance
E. C. Hardin	A. J. McCandless	F. C. VanHoose
B H. Harris	H. C. McGehee	G. C. Waggoner
D. J. Howard	S. Lee McGohan	G. Frank Walthal
A. R. Hudson	W. F. Paris	W. N. Winn
J. W. Johnson	Ote Piper	E. G. Young
Leslie P. Jones	Richard Radcliffe	—61

A message was received from the Senate announcing that they had passed bills originating in the House of the following titles, viz:

H. B. 279. An act changing the time of holding Circuit Courts in the Twenty-fourth Judicial District composed of the counties of Johnson and Martin.

H. B. 317. An act to repeal an act entitled: An act to incorporate the town of Dunnville, in Casey county.

H. B. 278. An act to provide for the compulsory education of the deaf and providing penalties for violations thereof.

H. B. 412. An act requiring interurban railway companies operating in this Commonwealth to equip their passenger cars with bundle racks.

H. B. 500. An act to repeal an act to incorporate the town of Ford, Clark county, Kentucky, and an act amendatory thereto.

H. B. 221. An act to repeal an act entitled: An act to incorporate and establish a public school for colored people in the town of Hawesville, and within a radius of two miles of the court house in said town, approved March 19, 1888, and all amendments thereto.

H. B. 173. An act to create a board of trustees for the government, administration and control of the University of Kentucky, providing for its appointment, and repealing previous laws relating to same subject.

H. B. 502. An act to repeal an act of the General Assembly of 1880, incorporating the town of McKinney, Lincoln county, Kentucky.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 28. An act to amend and re-enact section 2248, Kentucky Statutes.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 2248, of the Kentucky Stautes, Carroll's edition of 1915, be and the same is hereby amended and re-enacted to read as follows:

"A grand jury shall consist of twelve persons, and no person shall be qualified to serve as a grand juryman unless he be a citizen and a housekeeper of the county in which he may be called to serve, and over the age of twenty-one years.

No civil officer (except trustees of schools), no surveyor of a highway, tavern-keeper, vender of ardent spirits by license, or person who is under indictment, or who has been convicted of a felony and not pardoned, shall be competent to serve as a grand juror; but the fact that a person not qualified or competent served on a grand jury, shall not be cause for setting aside indictments found by such grand jury."

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the negative were—

Chas. Ashby	F. A. Easterling	H. A. Knollmann
L. D. Baldauf	J. M. Elliston	S. D. Laughlin
J. H. Ballard	I. H. Gabbard	Joseph Lazarus
A. L. Baldwin	Lark Garnett	M. E. Lee
W. T. Beckham	M. E. Gilbert	Harry J. Meyers
B. C. Beckmann	W. H. Hager	Clarence Miller
H V. Bell	J. S. Hall	S. H. Moore
Leroy Bonta	A. L. Hamilton	Ryland C. Musick
O. V. Brown	L. B. Hamilton	A. J. McCandless
R. J. Cain	E. C. Hardin	W. P. McDonogh
H. C. Chappell	D. J. Howard	H. C. McGehee
John Cook	A. R. Hudson	S. Lee McGohan
A. S. Cooper	Chas. L. Hunter	W. B. O'Bannon
Fred Cornelius	J. W. Johnson	A. J. Oliver
W. P. Cropper	Leslie P. Jones	W. F. Paris
James S. Cruse	W. H. Jones	Lilburn Phelps
J. C. Davis	Griffin Kelly	Richard Radcliffe
H. L. Dixon	W. F. Klair	H. C. Rice

Avery Sartin	John W. Swope	G. Frank Walthal
Joe Schneider	Elmore Thomas	T. R. Welch
Claude B. Smith	S. G. Thornberry	W. N. Winn
R. T. Smith	W. F. Trusty	E. G. Young
T. J. Smith	J. Wood Vance	
Thomas Spurrier	F. C. VanHoose	—70

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 345. An act to amend section 2 of chapter 69 of an act of the General Assembly of 1914, which is an act to regulate, license and govern use of motor vehicles.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 2 of chapter 69 of the Acts of the General Assembly of 1914, which is an act to regulate license and govern use of motor vehicles, be amended by changing the period after the word over in line 18 of said act to a semicolon and by adding the following after said semicolon:

On commercial trucks the following rate shall be charged:

Those having a capacity of one thousand (1,000) pounds or less, $11.00; those having a capacity of more than one thousand (1,000) pounds and up to two thousand (2,000) pounds, $15.00; those having a capacity of more than two thousand (2,000) pounds, and up to three thousand (3,000)

pounds, $20.00; those having a capacity of more than three thousand (3,000) pounds and up to four thousand (4,000) pounds, $25.00; those having a capacity of more than four thousand (4,000) pounds and up to five thousand (5,000) pounds, $30.00; those having a capacity of more than five thousand (5,000) pounds and up to six thousand (6,000) pounds, $35.00; those having a capacity of more than six thousand pounds and up to seven thousand (7,000) pounds, $45.00; those having a capacity of more than seven thousand (7,000) pounds and up to eight thousand (8,000) pounds, $55.00; those having a capacity of eight thousand (8,000) pounds and up to nine thousand (9,000) pounds, $65.00; those having a capacity of more than nine thousand (9,000) pounds and up to ten thousand (10,000) pounds, $75.00; those having a capacity of more than ten thousand (10,000) pounds shall pay $75.00, and $50.00 for each additional ton.

The applicant for license for commercial motor truck shall state in his application the capacity of the truck.

Said section when thus amended will read as follows:

§ 2. Registration by Owners of Motor Vehicles, Certicates of Registration.—Every owner of a motor vehicle shall immediately upon the acquirement thereof, except as otherwise provided in this act, file in the office of the Secretary of State an application properly sworn to, setting forth his name and address, with a brief description of the motor vehicle to be registered, including the name of the maker, the factory number, style of vehicle and motor power, on an application to be prepared and furnished by the Commissioner of Motor Vehicles for that purpose and shall pay the said Commissioner of Motor Vehicles a registration fee of six dollars on each motor vehicle of less than twenty-five horse power; eleven dollars on each motor vehicle of twenty-five horse power and over up to fifty horse power and twenty dollars on each motor vehicle of fifty horse power and over. On com-

mercial trucks the following rate shall be charged: Those having a capacity of one thousand pounds or less eleven dollars; those having a capacity of more than one thousand pounds and up to two thousand pounds fifteen dollars; those having a capacity of more than two thousand pounds and up to three thousand pounds twenty dollars; those having a capacity of more than three thousand pounds and up to four thousand pounds twenty-five dollars; those having a capacity of more than four thousand pounds and up to five thousand pounds thirty dollars; those having a capacity of more than five thousand pounds and up to six thousand pounds thirty-five dollars; those having a capacity of more than six thousand pounds and up to seven thousand pounds forty-five dollars; those having a capacity of more than seven thousand pounds and up to eight thousand pounds fifty-five dollars; those having a capacity of more than eight thousand pounds and up to nine thousand pounds sixty-five dollars; those having a capacity of more than nine thousand pounds and up to ten thousand pounds seventy-five dollars; those having a capacity of more than ten thousand pounds shall pay seventy-five dollars and fifty dollars for each additional ton. The applicant for license for commercial motor truck shall state in his application the capacity of the truck. Provided, that if the motor vehicle be a motorcycle the fee paid for registration thereof shall be five (5.00) dollars. All such registration and registration fees shall hereafter fall due on the first day of January of each year and be for one year from such date. In the event any person becomes the owner of a motor vehicle after said date of any year, then he is to be charged such a proportion of such fee as the date of purchase bears to the last named date for the first year, and thereafter register and pay his registration fee on the date above set forth. Said registration shall be made on the date the application is received and filed by the Secretary of State.

Upon filing in the office of the Secretary of State of said application as hereinbefore provided, the Secretary of State, or his duly authorized agent, shall, without further fee, assign and furnish to the owner of such motor vehicle as described in such application, two distinctive number plates to be paid for, together with the transportation of same to the owner, out of the funds arising from the registration fees, and shall issue to the owner of such motor vehicles as is described in the application filed, a certificate of registration, which certificate shall be in the form of a card, which may be carried in the pocket, and which certificate shall contain the distinctive number so assigned to such motor vehicle, the name and address of the owner and brief description of such motor vehicle, stating the name of the manufacturer and the motor power.

Duplicate certificates of registration will be issued upon payment of a fee of fifty cents. The Secretary of State shall cause the name of such owner, with his address, registration number and the date of filing of application and description of such motor vehicle or motor vehicles, to be entered in alphabetical order of the owner's name in a book to be kept for that purpose in the office of the Secretary of State; provided that this action shall not apply to manufacturers of, or dealers in, motors in this State, except as to vehicles kept by such manufacturers or dealers for private use or public hire.

All licenses issued by the Secretary of State on motor vehicles after passage of this act or before January 1, 1915, shall be made to expire on January 1, 1915, and the fee for such license shall be proportionate to the time that the unexpired part of the year 1914 bears to the whole year, and in making the calculation the time shall be calculated from the first of the month succeeding the date of the license shall fall due.

If any licenses have been issued before this law becomes operative, which do not expire until after the first of

January, 1915, the next license issued on such machine shall expire on January 1st, 1916, and the fee collected from such license shall be apportioned in the manner provided for and during the year 1914.

Nothing in this section shall apply to motor trucks not operated on turnpike roads nor to motor trucks which are operated on turnpike roads constructed by the owner or owners of such trucks nor to automobiles owned and operated in the service of the State of Kentucky, or by any county or municipality therein, but such automobiles shall have attached both front and rear, as provided in this act, a tag selected by the proper official of said State, county or municipality sufficient to identify the ownership of said vehicle.

All laws or parts of laws in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the negative were—

Chas. Ashby	R. J. Cain	W. G. Dycus
B. S. Bailey	T. L. Caudel	I. H. Gabbard
J. H. Ballard	John Cook	Lark Garnett
A. L. Baldwin	A. S. Cooper	J. S. Hall
B. C. Beckmann	Fred Cornelius	A. L. Hamilton
H. V. Bell	W. P. Cropper	L. B. Hamilton
W. P. Bowman	James S. Cruse	E. C. Hardin
J. L. Bradford	A. A. Demunbrun	B. H. Harris
O. V. Brown	H. L. Dixon	D. J. Howard

Joe Huddleston	A. J. McCandless	John W. Swope
Chas. L. Hunter	W. P. McDonogh	C. M. Thomas
J. W. Johnson	S. Lee McGohan	J. B. Thomas
Leslie P. Jones	W. B. O'Bannon	G. F. Thompson
W. F. Klair	A. J. Oliver	J. T. Thornton
H. A. Knollmann	Luther Pieratt	S. G. Thornberry
W. T. Lasley	Richard Radcliffe	W. F. Trusty
S. D. Laughlin	H. C. Rice	J. Wood Vance
M. E. Lee	Avery Sartin	F. C. VanHoose
J. E. Lilly	Joe Schneider	G. Frank Walthal
Clarence Miller	Claude B. Smith	G. C. Waggoner
Claude D. Minor	R. T. Smith	T. R. Welch
S. H. Moore	T. J. Smith	W. N. Winn
John T. Murphy	Thomas Spurrier	E. G. Young
Ryland C. Musick	Ben Street	—71

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 97. An act providing for the formation and carrying on of co-operative associations and providing for the rights, powers, liabilities and duties of the same, and making it unlawful for anyone to use the title "Co-operative" as part of its or his or their business name or title unless such person or corporation or company has complied with the provisions of this act.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Any person or persons not less than three, who are residents of the State of Kentucky, may associate themselves together as a co-operative corporation for the purpose of conducting any agricultural, dairy, mercantile, mining, manufacturing, or mechanical business on the co-operative plan. For the purpose of this act the "co-operative plan" shall be construed to mean a business concern that distributes the net profit of its business by: First, the payment of a fixed dividend upon its stock; second, the remainder of its profits are pro rated to its several stockholders or customers, or both, as provided by by-laws, upon their purchases from or sale to said concern or both such purchase and sales.

§ 2. They shall sign and acknowledge articles of incorporation which shall specify those things required by section 539 of the Kentucky Statutes.

§ 3. Said articles shall be fixed as now required by law for other private corporations and for filing same and amendments thereto under this act the same fees shall be paid to the Secretary of State as now required under the general corporation law.

§ 4. Corporations organized under the provisions of this act shall conform to the requirements of section 543 of the Kentucky Statutes.

§ 5. Every such association shall be managed by a board of not less than three directors. The directors shall be elected by and from the stockholders of the association at such times and for such terms of office as the by-laws prescribe, and shall hold office for the time for which elected and until their successors are elected, and shall enter upon the discharge of their duties; but a majority of the stockholders shall have power at any regular or special stockholders' meeting, legally called, to remove any director or official for

cause, and fill the vacancy, and thereupon the directors so removed shall cease to be directors of said association. The officers of every such association shall be a president, one or more vice presidents, a secretary and treasurer (one may be both secretary and treasurer) who shall be elected annually by the directors and each of said officers must be a director of the association.

§ 6. No stockholder, regardless of the number of shares he may own, shall be entitled to more than one vote upon any proposition.

§ 7. Out of the net profits of its business, after the payment of a fixed dividend upon its stock, and before the profits are pro rated as set out and provided for in section 1 hereof by a vote of at least two-thirds of the stockholders of such corporation a reserve fund may be created by setting aside not less than ten per cent nor more than twenty-five per cent of the remainder annually of said net profits.

§ 8. All co-operative corporations, companies or associations heretofore organized or doing business under prior statutes or which have attempted to so organize and do business shall have the benefit of all of the provisions of this act, and be bound thereby on paying the fees provided for in this act and filing with the Secretary of State a written declaration signed and sworn to by the president and secretary to the effect that said co-operative company or association has by a majority vote of its stockholders decided to accept the benefits of and be bound by the provisions of this act.

§ 9. No corporation, association or company now or hereafter organized or doing business for profit in this State shall be entitled to use the title "co-operative" as part of its corporate or other business name or title unless it has complied with the provisions of this act, and any corporation, association or company violating the provisions of this section may be enjoined from doing business under such name at

the instance of any stockholder or any association legally organized hereunder.

Any corporation, association or company not entitled to use the title "co-operative" as part of its corporate or other business name or the title as herein provided if it does so use the title "co-operative" shall be subject to a fine of not less than fifty dollars ($50), and not more than one thousand dollars ($1,000.)

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Those who voted in the negative were—

B. S. Bailey	J. C. Davis	J. W. Johnson
L. D. Baldauf	A. A. Demunbrun	Leslie P. Jones
J. H. Ballard	H. L. Dixon	W. H. Jones
A. L. Baldwin	W. G. Dycus	Griffin Kelly
Robert Bays	F. A. Easterling	W. F. Klair
W. T. Beckham	J. M. Elliston	H. A. Knollmann
B. C. Beckmann	I. H. Gabbard	W. T. Lasley
Leroy Bonta	W. H. Hager	S. D. Laughlin
W. P. Bowman	J. S. Hall	M. E. Lee
J. L. Bradford	A. L. Hamilton	J. E. Lilly
O. V. Brown	L. B. Hamilton	Harry J. Meyers
R. J. Cain	E. C. Hardin	Clarence Miller
H. C. Chappell	B. H. Harris	John T. Murphy
A. S. Cooper	D. J. Howard	Ryland C. Musick
Fred Cornelius	A. R. Hudson	A. J. McCandless
James S. Cruse	Chas. L. Hunter	W. P. McDonogh

S. Lee McGohan	Avery Sartin	S. G. Thornberry
W. B. O'Bannon	Joe Schneider	W. F. Trusty
A. J. Oliver	R. T. Smith	J. Wood Vance
T. P. Oliver	Ben Street	G. C. Waggoner
W. F. Paris	John W. Swope	G. Frank Walthal
Lilburn Phelps	C. M. Thomas	T. R. Welch
Luther Pieratt	J. B. Thomas	W. N. Winn
Richard Radcliffe	G. F. Thompson	E. G. Young
H. C. Rice	J. T. Thornton	—74

There voted in the negative—

Lark Garnett —1

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 286. An act relating to the supervisor of revenue agents, and revenue agents, and placing them under the supervision and direction of the State Tax Commission.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The appointment, supervision, control and direction of revenue agents is hereby vested in the State Tax Commission.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz:

Chas. Ashby	D. J. Howard	T. P. Oliver
B. S. Bailey	Joe Huddleston	W. F. Paris
J. H. Ballard	A. R. Hudson	Lilburn Phelps
Robert Bays	J. W. Johnson	Ote Piper
B. C. Beckmann	Leslie P. Jones	Richard Radcliffe
H. V. Bell	W. H. Jones	H. C. Rice
W. P. Bowman	Griffin Kelly	Lewis Ryans
O. V. Brown	W. F. Klair	Avery Sartin
R. J. Cain	H. A. Knollmann	Joe Schneider
H. C. Chappell	W. T. Lasley	Claude B. Smith
John Cook	S. D. Laughlin	T. J. Smith
A. S. Cooper	Joseph Lazarus	Thomas Spurrier
James S. Cruse	M. E. Lee	Ben Street
J. C. Davis	J. E. Lilly	John W. Swope
A. A. Demunbrun	Harry J. Meyers	Claude M. Thomas
H. L. Dixon	Clarence Miller	J. B. Thomas
W. G. Dycus	John T. Murphy	G. F. Thompson
F. A. Easterling	Ryland C. Musick	S. G. Thornberry
J. M. Elliston	A. J. McCandless	J. Wood Vance
I. H. Gabbard	W. P. McDonogh	F. C. VanHoose
Lark Garnett	H. C. McGehee	G. C. Waggoner
W. H. Hager	S. Lee McGohan	G. Frank Walthal
J. S. Hall	H. C. McLellen	T. R. Welch
L. B. Hamilton	W. B. O'Bannon	W. N. Winn
E. C. Hardin	A. J. Oliver	E. G. Young

—75

There voted in the negative—

B. H. Harris

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 141. An act to regulate the use and sale of wood alcohol, and fixing a penalty.

Said bill reads as follows, viz:

Whereas, wood alcohol is a poison, which, when swallowed or inhaled, frequently causes blindness or death:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. No person shall sell, offer for sale, give away, deal in or supply, or have in his possession with intent to sell, offer for sale, give away, deal in or supply any article of food or drink or any medicinal or toilet preparation intended for human use internally or externally, which contains any methyl alcohol, otherwise known as wood alcohol or wood naptha, either crude or refined, under or by whatever name or trade mark the same may be called or known, or which contains denatured alcohol containing methyl or wood alcohol.

§ 2. No person shall sell, offer for sale, give away, deal in or supply, or have in his possession with intent to sell, offer for sale, give away, deal in or supply any methyl alcohol, otherwise known as wood alcohol or wood naphtha, either crude or refined, under or by whatever name or trade mark the same may be called or known, unless the container in which the same is kept, sold, offered for sale, given away, dealt in or supplied, shall bear a notice containing the following device and words conspicuously printed or stenciled or typewritten thereon, viz:

"Skull and Crossbones. Poison. Wood Alcohol or Wood Naphtha.

"Warning. Wood alcohol is poisonous, and when inhaled or swallowed may cause blindness or death. It is unlawful to

use this fluid in any way either internally or externally for the human body."

§ 3. No person shall sell, offer for sale, give away, deal in or supply, or have in his possession with intent to sell, offer for sale, give away, deal in or supply any denatured alcohol that contains methyl or wood alcohol, unless the container in which the same is kept, sold, offered for sale, given away, dealt in or suplied shall bear a notice containing the following device and words conspicuously printed or stenciled or typewritten thereon, viz:

"Skull and Crossbones. Poison. Denatured Alcohol.

"Warning. This fluid contains wood alcohol and if inhaled or swallowed, may cause blindness or death. It is unlawful to use this fluid in any way, either internally or externally, for the human body."

§ 4. Nothing in this act shall be construed as interfering with any other requirement of the law as to labels.

§ 5. Any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine of not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00), or by imprisonment for not less than ten (10) days nor more than fifty (50) days, or by both such fine and imprisonment.

§ 6. The provisions of this act shall take and be in effect on and after January 1st, 1919.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	E. C. Hardin	H. C. McLellen
B. S. Bailey	B H. Harris	W. B. O'Bannon
J. H. Ballard	D. J. Howard	A. J. Oliver
A. L. Baldwin	Joe Huddleston	T. P. Oliver
W. T. Beckham	A. R. Hudson	W. F. Paris
B. C. Beckmann	Chas. L. Hunter	Ote Piper
H. V. Bell	J. W. Johnson	Richard Radcliffe
Leroy Bonta	Leslie P. Jones	H C. Rice
W. P. Bowman	W. H. Jones	Avery Sartin
J. L. Bradford	Griffin Kelly	Joe Schneider
O. V. Brown	W. F. Klair	Claude B. Smith
R. J. Cain	H. A. Knollmann	R. T. Smith
H. C. Chappell	W. T. Lasley	T. J. Smith
John Cook	S. D. Laughlin	Ben Street
A. S. Cooper	Joseph Lazarus	John W. Swope
Fred Cornelius	M. E. Lee	C. M. Thomas
James S. Cruse	J. E. Lilly	J. B. Thomas
W. G. Dycus	Harry J. Meyers	S. G. Thornberry
J. M. Elliston	Clarence Miller	J. Wood Vance
I. H. Gabbard	Claude D. Minor	F. C. VanHoose
Lark Garnett	John T. Murphy	G. Frank Walthal
M. E. Gilbert	Ryland C. Musick	T. R. Welch
W. H. Hager	A. J. McCandless	W. N. Winn
J. S. Hall	W. P. McDonogh	E. G. Young
A. L. Hamilton	H. C. McGehee	
L. B. Hamilton	S. Lee McGohan	—76

Resolved, that the title thereof be as aforesaid.

Mr. Klair moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in the House of the following title, viz.:

H. B. 401. An act to regulate the transportation of ground limestone for agricultural purposes, specifying rates to be charged for same and defining the maximum weight per carload.

(For said bill see H. J. March 8, 1918.)

With Senate amendments thereto.

Said Senate amendments proposed to House Bill No. 401 are as follows, viz.:

Amend House Bill No. 401 by striking out everything after the enacting clause and inserting in lieu thereof the following:

1. That any and all railroads operating in and through this state, during the period of the war in which the United States is now engaged, shall not charge for the transportation of ground limestone for agricultural purposes, in car load lots, one road haul, minimum weight sixty thousand pounds, from one point in this state to another point in this state, in excess of the commodity mileage rates set out below:

Distances	Rate Per Ton of 2,000 lbs.
30 miles and under	$.30
40 miles and over 30 miles	.35
50 miles and over 40 miles	.40
60 miles and over 50 miles	.45
70 miles and over 60 miles	.47
80 miles and over 70 miles	.50
90 miles and over 80 miles	.54
100 miles and over 90 miles	.60
110 miles and over 100 miles	.66
120 miles and over 110 miles	.72

130 miles and over 120 miles	$0.78
140 miles and over 130 miles	.85
150 miles and over 140 miles	.87½
160 miles and over 150 miles	.90
170 miles and over 160 miles	.92½
180 miles and over 170 miles	.95
190 miles and over 180 miles	.97½
200 miles and over 190 miles	1.00
205 miles and over 200 miles	1.02½
210 miles and over 205 miles	1.05
215 miles and over 210 miles	1.07½
220 miles and over 215 miles	1.10
225 miles and over 220 miles	1.12½
230 miles and over 225 miles	1.15
235 miles and over 230 miles	1.17½
240 miles and over 235 miles	1.20
245 miles and over 240 miles	1.22½
250 miles and over 245 miles	1.25
255 miles and over 250 miles	1.27½
260 miles ond over 255 miles	1.30
265 miles and over 260 miles	1.32½
270 miles and over 265 miles	1.35
275 miles and over 270 miles	1.37½
280 miles and over 275 miles	1.40
285 miles and over 280 miles	1.42½
290 miles and over 285 miles	1.45
295 miles and over 290 miles	1.47½
300 miles and over 295 miles	1.50
360 miles and over 300 miles	1.50
Over 360 miles	1.60

2. The rates herein provided for shall apply only on shipments of ground limestone for agricultural purposes from state quarries or crushers. On shipments from commercial quarries or crushers there shall be applied the standard scale of rates on said limestone, but upon presentation

of a certificate of the Commissioner of Agriculture that a shipment of limestone from a commercial quarry or crusher was shipped and used for agricultural purposes the carrier shall promptly refund to the shipper the difference between the amount of freight actually paid on said shipment and the amount which would have been collected had the special rates provided for herein been applied; provided, that with respect to such shipments from commercial quarries or crushers, if to said certificate from the Commissioner of Agriculture be filed with the carrier's agent at point of shipment prior to the movement, then the rates herein prescribed shall apply. Any person or corporation who shall, by false representation as to the purpose for which the limestone transported was to be used or in any other way, obtain the benefit of the lower rate provided for herein shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than fifty dollars nor more than one hundred dollars for each offense each shipment upon which a refund is obtained through misrepresentation shall constitute a separate offense.

3. The establishment of the special rates provided for herein shall not be construed as a standard or as a criterion by which to measure other rates.

4. It shall be unlawful for any railroad company to charge in excess of the rates herein provided for, during the period mentioned in section one hereof, and any such company convicted of violating the provisions of this act shall be fined not less than fifty dollars nor more than one hundred dollars for each offense, each shipment upon which a greater charge is made shall constitute a separate offense.

5. Whereas, there is at present a great demand for an increased production of food stuffs; and,

Whereas, the distribution of limestone will aid materially in the crops to be raised in the ensuing year, an emergency is hereby declared to exist and this act shall take effect from and after its passage and approval by the Governor.

Mr. Hardin moved that the House concur in said Senate amendments proposed to House Bill No. 401.

Said motion was agreed to.

Said amendments were concurred in.

The yeas and nays being taken on the final passage of said House Bill No. 401, as amended by the Senate, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey
L. D. Baldauf
J. H. Ballard
A. L. Baldwin
W. T. Beckham
B. C. Beckmann
H. V. Bell
Leroy Bonta
W. P. Bowman
J. L. Bradford
O. V. Brown
R. J. Cain
H. C. Chappell
John Cook
A. S. Cooper
Fred Cornelius
W. P. Cropper
James S. Cruse
J. C. Davis
A. A. Demunbrun
H. L. Dixon
W. G. Dycus
F. A. Easterling
J. M. Elliston
I. H. Gabbard
Lark Garnett
M. E. Gilbert
W. H. Hager
J. S. Hall
A. L. Hamilton
L. B. Hamilton
E. C. Hardin
Joe Huddleston
A. R. Hudson
Chas. L. Hunter
J. W. Johnson
Leslie P. Jones
W. H. Jones
Griffin Kelly
W. F. Klair
H. A. Knollmann
W. T. Lasley
S. D. Laughlin
M. E. Lee
J. E. Lilly
Claude D. Minor
S. H. Moore
John T. Murphy
Ryland C. Musick
A. J. McCandless
W. P. McDonogh
S. Lee McGohan
H. C. McLellen
W. B. O'Bannon
A. J. Oliver
W. F. Paris
Ote Piper
Richard Radcliffe
H. C. Rice
Avery Sartin
Joe Schneider
Claude B. Smith
R. T. Smith
T. J. Smith
Ben Street
John W. Swope
C. M. Thomas
Elmore Thomas
J. B. Thomas
S. G. Thornberry
W. F. Trusty
J. Wood Vance

F. C. VanHoose	G. Frank Walthal	W. N. Winn
G. C. Waggoner	T. R. Welch	E. G. Young

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The House took up for consideration from the orders of the day a bill entitled:

S. B. 87. An act to amend subsection 19 of section 1550 of the Kentucky Statutes relative to primary elections.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That subsection 19 of section 1550 of the Kentucky Statutes (Carroll's) be amended by inserting the following words relative to the qualification of voters in primary elections, to-wit:

"Provided further that all voters who have moved from some other county in this state to the county in which they then reside and in which they have been continuously a bona fide resident for four consecutive months prior to the primary election in which they offer to vote and who have been a continuous bona fide resident of the precinct in which they reside for sixty days just prior to the primary election in which they offer to vote shall be entitled to vote in said primary election."

So that said subsection 19, when amended, will read as follows:

"Qualifications of Electors.—Before a person shall be qualified to vote in the primary election herein provided for, he shall possess all the qualifications now prescribed by the constitution and as are now required of voters in regular elections. Except that in the case of women electors the qualifications shall be prescribed in chapter 47 of the Acts of the General Assembly of 1912. He shall, in addition to said quali-

fications, be a member of the party for whose nominees he intends to cast his vote, and shall have affiliated with said party and supported its nominees and no person shall be deemed to have affiliated with the party in whose primary he seems (seeks) to cast his vote, if he voted against the nominee or nominees of such party at the last general election. Said qualifications shall be determined as of the date of the primary, without regard to the qualifications or disqualifications as they may exist at the succeeding regular election. In precincts where registration is required, no elector, except those entitled to be specially registered as herein provided, shall be entitled to vote in any primary, unless he is registered in the registration book of said precinct for the preceding year, as affiliating with the party whose ballot of the party with which he is registered and no other. In other precincts, qualified electors shall be allowed to vote only the ballot of the party of which they are members, and with which they have affiliated and supported as defined herein. Provided that all minors who will become twenty-one years of age before the November election shall be entitled to vote in said primary by declaring the party of their choice.

"Provided further that all voters who have moved from some other county in this State to the county in which they then reside and have been continuously a bona fide resident for four consecutive months prior to the primary election in which they offer to vote and who have been a continuous bona fide resident of the precinct in which they reside for sixty days just prior to the primary election in which they offer to vote shall be entitled to vote in said primary election. The qualifications above described shall apply to candidates and voters alike.

"In order to determine in case of doubt, any of the qualifications above mentioned, the judge of the election shall have power to and he shall swear any person offering himself to vote as to any of said qualifications, and when so sworn the judge shall direct the clerk to, and the clerk shall write upon the primary stub bearing the voter's name, words, 'sworn as

to qualifications.' And any voter making a false statement as to any of his qualifications shall be liable to indictment and conviction for false swearing.

"Any judge of an election knowingly receiving a vote of any elector who is not qualified as provided in this act shall be guilty of a misdemeanor, and upon conviction, shall be fined one hundred dollars for each offense, and any person so voting knowing that he is not qualified as provided in this act, shall be guilty of a misdemeanor and upon conviction, shall be fined one hundred dollars for each offense, the fine in each case to be recovered upon information or indictment in any court having jurisdiction."

§ 2. All laws or parts of laws in conflict with this amendment are hereby repealed.

Mr. A. J. Oliver moved that said bill be laid on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 85. An act providing for oiling of the streets and alleys of cities and towns of the fourth, fifth and sixth classes of this Commonwealth.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the city councils or commissioners of cities of the fourth class and the city councils of the cities of the fifth class, and the boards of trustees of cities or towns of the sixth class are hereby empowered to cause all such streets and alleys to be oiled as is deemed best to the interest of the general public.

§ 2. The city council or commissioners of any city of the fourth class and the city council of any cities of the fifth class and the board of trustees of any city or town of the sixth class may at a regular meeting pass a resolution designating certain of its streets and alleys to be oiled, which shall be done by a resolution duly published for two consecutive weeks in some paper published in the city or town where the oiling is proposed to be done, and if there be no paper published in such city or town, then by written or printed notices posted in at least eight conspicuous places in such city or town calling attention of the public to the streets and alleys proposed to be oiled, the time when the same is to be done and the approximate cost of same and what part of the cost is to be paid by the property holders whose property borders and abuts on the said street or alley where the oiling is proposed to be done.

§ 3. Such city or town shall have power to assess against the property holder whose property borders or abuts on such streets or alleys proposed to be oiled any portion of the cost and assess the cost of same and levy a sufficient tax against such property to be known as "oiling tax," and which tax is to be collected as other city or town taxes of such city or town are collected, and such city or town shall have the same tax lien against the property so bordering and abutting on such streets or alleys and the collection thereof shall be enforced in the same manner as the collection of other taxes collected for the city; provided, however, that no more shall be assessed against the property holders in proportion on the one side of the street oiled than the other.

§ 4. After the streets and alleys have been oiled in accordance with the resolution passed by the council or commissioners or board of trustees, every property holder shall be given a written notice signed by the clerk of the board of commissioners, council or trustees of the amount due on the oiling tax, showing therein the number of feet bordering and abutting on streets or alleys and the cost per foot, and it shall be the duty of the property holders to pay the same to the collector of taxes of such city or town within thirty days after

he has received the said notice, and on his failure to do so there shall be imposed upon him a penalty of twenty per cent of the amount due by him.

§ 5. It shall be the duty of such city or town to pay for oiling all the cross sections of the city or town.

§ 6. All acts or parts of acts in conflict herewith are hereby repealed.

Mr. O'Bannon moved that said bill be laid on the table.

Said motion was agreed to.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 238. An act to establish an athletic board of control and prescribing the duties and power of same and to license and regulate the giving or holding of boxing or sparring contests or exhibitions in this State, providing for the payment of a tax and license and prohibiting the sale of intoxicating liquors on the premises where any boxing exhibition is held, and prohibiting any betting or gaming at any such contest and providing for penalty of violation of this act.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established a State Athletic Board of Control. Within thirty days after this act takes effect the Governor shall appoint three persons to be members of such board, who shall hold office for the terms of four years following the date of their appointment. The Governor shall also appoint their successors each successive fourth year. The board shall maintain a general office for the transaction of its business. The members of the board shall, at their meeting after this appointment, elect one of their number chairman of

the board, shall adopt a seal for the board and may make such rules for the administration of their office, not inconsistent herewith, as they may deem expedient; and they may hereafter amend or abrogate such rules. Two of the members of the board shall constitute a quorum to do business; and the concurrence of at least two members of the board shall be necessary to render a choice or decision by the board, one of whom shall be an acting and accredited secretary or athletic director of a Young Men's Christian Association of this State, and one of whom shall be an acting and accredited secretary or athletic director of the Knights of Columbus of this State, and all of whom shall be citizens and residents of this State.

§ 2. The board shall appoint, and at pleasure remove, a secretary to the board, whose duty it shall be to keep a full and true record of its proceedings, preserve at its general office all its books, documents and papers, prepare for service such notices and other papers as may be required of him by the board and to perform such other duties as the board may prescribe; and he may, under direction of the board, issue subpoenas for the attendance of witnesses before the board with the same effect as if they were issued in an action in a circuit court of this Commonwealth, and may, under direction of the board, administer oaths in all matters pertaining to the duties of his office or connection with the administration of the affairs of the board. Disobedience of such a subpoena and false swearing before such secretary shall be attended by the same consequence and subject to the same penalties as if such disobedience or false swearing occurred in an action in court. The necessary traveling and other necessary expenses of the members of the board, which, including the salary of the secretary, shall not exceed the sum of five thousand ($5,000.00) dollars per year, shall be paid monthly out of the funds of the board. The board shall biannually make, to the Legislature, a full report of its proceedings for the year ending with the first day of the preceding December, and may submit, with such report, such recommendations pertaining to its affairs as to it shall seem desirable.

§ 3. The boards shall have, and hereby is vested with, the sole direction, management and control of and jurisdiction over, all boxing and sparring matches and exhibitions to be conducted, held or given within the state by any person, club, corporation or association, and no boxing or sparring match or exhibition shall be conducted, held or given within the state except pursuant to its authority and in accordance with the provisions of this act. The board may, in its discretion, issue, and at its pleasure revoke, a license to conduct, hold or give boxing or sparring matches, or exhibitions to any person, club, corporation or association. Every license shall be subject to such rules and regulations and amendments thereof as the board may prescribe. Every application for a license, as herein provided, shall be in writing and shall be addressed to the board and shall be verified by some officer of the club, corporation or association on whose behalf the application may be made. It shall contain a recital of such facts as under the provisions hereof will show the applicant entitled to receive a license and in addition thereto, such facts and recitals as the board may by rule require to be shown.

§ 4. All buildings or structures used, or intended to be used, for the purpose of this act, shall be properly ventilated and provided with fire exits and fire escapes, if there need be, and in all manner conform to the laws, ordinances and regulations pertaining to buildings in the city, town or village where situated. Where a part of a building or structure is used for the purpose set forth in this act, this section shall apply in the same manner.

§ 5. No boxing or sparring match or exhibition shall be of more than fifteen rounds in length, and the contestants shall wear, during such contest, gloves weighing at least six ounces. The contestants in such boxing or sparring match or exhibition shall be examined by a reputable physician appointed by the board, who is licensed as such physician, and shall be in

excellent physical condition before participating in such boxing or sparring contest or exhibition.

§ 6. No decision shall be rendered in any contest given under this act.

§ 7. No contest under this act shall be held on Sunday.

§ 8. Any contestant who shall participate in any sham or fake boxing or sparring match or exhibition shall be penalized in the following manner: For the first offense he shall be restrained for a period of one year, such period to begin immediately after the occurrence of such offense, from participating in any boxing competition to be held or given by any person, club, corporation or association duly authorized to give or hold any such boxing or sparring match or exhibition, for the second offense he shall be totally disqualified from further admission or participation in any boxing contest held or given by any person, club, corporation or association duly licensed for said purpose.

§ 9. Every person, club, corporation or association which may hold or exercise any of the privileges conferred by this act, shall, within twenty-four hours after the determination of every contest, furnish to the board a written report, duly verified by one of their officers, showing the number of tickets sold for such contest and the amount of the gross proceeds thereof, and such other matters as the board may prescribe, and shall also within the same time pay to the board a tax of ten per centum of its total receipts, from the sale of all tickets to such boxing or sparring match or exhibition, which tax, after the payment therefrom of the expenses of the board and the salary of the secretary of the board, as herein provided, shall be turned over to the State Treasurer and credited to the state school fund. Before any license shall be granted to any person, club, corporation or association to conduct, hold or give any boxing or sparring match or exhibition, such applicant therefor shall execute and file with the board a bond in the sum of five thousand ($5,000.00) dollars,

to be approved as to form, and the sufficiency of the sureties thereon, by the board, conditioned for the payment of the tax hereby imposed. Upon the filing and approval of such bond the board shall issue such applicant for such license a certificate of such filing and approval, which shall by such applicant be filed in the office of the board with its application for such license, and no license shall be issued until such certificate shall be so filed.

§ 10. Whenever any such person, club, corporation or association shall fail to make a report of any contest at the time prescribed by this act, or whenever such report is unsatisfactory to the board, they may examine or cause to be examined, the books and records of such person, club, corporation or association, and subpoena and examine, under oath, its officers and other persons as witnesses for the purpose of determining the total amount of its gross receipts for any contest and the amount of the tax due, pursuant to the provisions of this act, which tax they may, upon, and as a result of such examination, fix and determine. In case of the default in the payment of any tax so ascertained to be due, together with the expenses incurred in making such examination, for a period of twenty days after notice to such delinquent person, club, corporation or association of the amount at which the same may be fixed by the board, such delinquent shall, ipso facto, forfeit its license and shall thereby be disqualified from receiving any new license or any renewal of license, and it shall, in addition, forfeit to the people of the Commonwealth of Kentucky the sum of five hundred dollars, which may be recovered by the Attorney General in the name of the people of the Commonwealth of Kentucky in the same manner as other penalties are by law recovered.

§ 11. Any person who violates any of the provisions of this act, for which a penalty is not herein expressly prescribed, shall be guilty of a misdemeanor and subject to a fine

of not less than ten dollars nor more than one hundred dollars.

§ 12. The provisions of sections 1284, 1285, 1286, 1287, 1288, 1289 and 1290 of the Kentucky Statutes, Carroll's edition, 1915, shall not be repealed or affected by the provisions of this act.

§ 13. The license fee shall be five hundred dollars annually and shall be payable to the board and shall be used by said board in liquidating the expenses of the board, together with any other funds as may come into the hands of the board under the provisions of this act, and after the necessary expenses have been paid, which are not to exceed five thousand dollars per annum, the funds remaining shall be turned over to the State Treasurer and credited to the state school fund.

§ 14. The board shall make an accounting to the State Treasurer on or before the first of January of each year.

§ 15. Any person or persons conducting a boxing or sparring contest under this act must be a bona fide resident of Kentucky for at least three years before such contest takes place.

§ 16. The sale or serving of any intoxicating liquors on the premises where any boxing contest is held is hereby prohibited.

§ 17. It shall be unlawful for any person to make any bets or indulge in gaming of any kind on the premises where any such contest is held, and any person so betting or gaming shall be punished as now provided by law for such offenses.

Mr. Hudson offered the following amendment to said bill, viz.:

Amend Senate Bill No. 238 as follows:

By striking out the word "and," in line 15, section 1, by inserting after the word "state," in line 17, section 1, the following words: "and one of whom shall be an acting and

accredited secretary or athletic director of the Young Men's Hebrew Association."

By striking from line 7 of section 9 of said bill the word "ten" and substituting therefor the word "twenty."

By inserting after the word "over," in line 10 of section 9, the words "one-half thereof."

By striking the period after the word "fund," in line 11 of section 9, and inserting after the aforesaid word "fund" the following words: "and the other half to the fiscal court of the county wherein any such boxing or sparring match or exhibition shall be held, to be used as county funds."

The yeas and nays being required on said amendments by Messrs. Vance and Hudson were as follows, viz.:

Those who voted in the affirmative were—

L. D. Baldauf	D. J. Howard	Ote Piper
Robert Bays	Joe Huddleston	Richard Radcliffe
W. T. Beckham	A. R. Hudson	Avery Sartin
Leroy Bonta	Leslie P. Jones	R. T. Smith
W. P. Bowman	W. H. Jones	T. J. Smith
J. L. Bradford	Griffin Kelly	John W. Swope
R. J. Cain	S. D. Laughlin	C. M. Thomas
John Cook	Joseph Lazarus	Elmore Thomas
Fred Cornelius	Clarence Miller	J. B. Thomas
W. G. Dycus	John T. Murphy	J. T. Thornton
I. H. Gabbard	A. J. McCandless	S. G. Thornberry
Lark Garnett	H. C. McLellen	J. Wood Vance
J. S. Hall	W. B. O'Bannon	F. C. VanHoose
L. B. Hamilton	Lilburn Phelps	G. C. Waggoner
B. H. Harris	Luther Pieratt	E. G. Young

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Those who voted in the negative were—

Chas. Ashby	B. C. Beckmann	A. A. Demunbrun
B. S. Bailey	H. C. Chappell	H. L. Dixon
J. H. Ballard	A. S. Cooper	F. A. Easterling
A. L. Baldwin	J. C. Davis	J. M. Elliston

W. H. Hager	Harry J. Meyers	Lewis Ryans
A. L. Hamilton	Ryland C. Musick	Joe Schneider
Chas. L. Hunter	W. P. McDonogh	Claude B. Smith
J. W. Johnson	H. C. McGehee	Thomas Spurrier
W. F. Klair	S. Lee McGohan	Ben Street
H. A. Knollmann	A. J. Oliver	G. F. Thompson
W. T. Lasley	T. P. Oliver	W. F. Trusty
M. E. Lee	W. F. Paris	G. Frank Walthal
J. E. Lilly	H. C. Rice	T. R. Welch

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And so said amendment was adopted.

Mr. L. B. Hamilton moved that said bill and amendments be laid on the table.

The yeas and nays being required on said motion by Messrs. Vance and Hudson were as follows, viz.:

Those who voted in the affirmative were—

L. D. Baldauf	Joe Huddleston	Ote Piper
Robert Bays	A. R. Hudson	Avery Sartin
W. T. Beckham	Leslie P. Jones	R. T. Smith
Leroy Bonta	W. H. Jones	T. J. Smith
J. L. Bradford	Griffin Kelly	C. M. Thomas
R. J. Cain	S. D. Laughlin	Elmore Thomas
Fred Cornelius	Joseph Lazarus	J. B. Thomas
James S. Cruse	M. E. Lee	S. G. Thornberry
Lark Garnett	Clarence Miller	J. Wood Vance
J. S. Hall	A. J. McCandless	F. C. VanHoose
L. B. Hamilton	H. C. McLellen	G. C. Waggoner
E. C. Hardin	W. B. O'Bannon	W. N. Winn
B. H. Harris	Lilburn Phelps	E. G. Young
D. J. Howard	Luther Pieratt	

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Those who voted in the negative were—

Chas. Ashby	J. H. Ballard	B. C. Beckmann
B. S. Bailey	A. L. Baldwin	H. V. Bell

W. P. Bowman	A. L. Hamilton	W. F. Paris
T. L. Caudel	Chas. L. Hunter	Richard Radcliffe
H. C. Chappell	J. W. Johnson	H. C. Rice
John Cook	W. F. Klair	Lewis Ryans
A. S. Cooper	H. A. Knollmann	Joe Schneider
J. C. Davis	W. T. Lasley	Claude B. Smith
A. A. Demunbrun	Harry J. Meyers	Thomas Spurrier
H. L. Dixon	Ryland C. Musick	Ben Street
F. A. Easterling	W. P. McDonogh	G. F. Thompson
J. M. Elliston	H. C. McGehee	J. T. Thornton
I. H. Gabbard	S. Lee McGohan	W. F. Trusty
W. H. Hager	A. J. Oliver	T. R. Welch

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And so said motion was disagreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and was rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Chas. Ashby	F. A. Easterling	Harry J. Meyers
J. H. Ballard	J. M. Elliston.	John T. Murphy
A. L. Baldwin	W. H. Hager	Ryland C. Musick
B. C. Beckmann	A. L. Hamilton	W. P. McDonogh
W. P. Bowman	A. R. Hudson	H. C. McGehee
H. C. Chappell	Chas. L. Hunter	S. Lee McGohan
John Cook	J. W. Johnson	A. J. Oliver
James S. Cruse	W. F. Klair	T. P. Oliver
J. C. Davis	H. A. Knollmann	W. F. Paris
A. A. Demunbrun	W. T. Lasley	Richard Radcliffe
H. L. Dixon	J. E. Lilly	Lewis Ryans

Joe Schneider	Ben Street	J. T. Thornton
Claude B. Smith	Elmore Thomas	W. F. Trusty
Thomas Spurrier	G. F. Thompson	T. R. Welch

—42

Those who voted in the negative were—

B. S. Bailey	E. C. Hardin	Ote Piper
L. D. Baldauf	B H. Harris	H. C. Rice
Robert Bays	D. J. Howard	Avery Sartin
W. T. Beckham	Joe Huddleston	R. T. Smith
Leroy Bonta	Leslie P. Jones	T. J. Smith
J. L. Bradford	Griffin Kelly	John W. Swope
R. J. Cain	S. D. Laughlin	C. M. Thomas
A. S. Cooper	Joseph Lazarus	J. B. Thomas
Fred Cornelius	M. E. Lee	S. G. Thornberry
W. G. Dycus	Clarence Miller	J. Wood Vance
I. H. Gabbard	A. J. McCandless	F. C. VanHoose
Lark Garnett	H. C. McLellen	G. C. Waggoner
M. E. Gilbert	W. B. O'Bannon	G. Frank Walthal
J. S. Hall	Lilburn Phelps	E. G. Young
L. B. Hamilton	Luther Pieratt	

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And so said bill was rejected.

Mr. Claude M. Thomas moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. McDonogh offered the following resolution, viz.:

Resolved by the House of Representatives, that at the conclusion of the legislative session of 1918, after a continuous service with him during the past sixty days, we hereby express our entire confidence in the integrity, patriotism, good citizenship and thorough Americanism of our fellow member,

Hon. Ben. C. Beckman, Representative of the Forty-ninth Legislative District.

Said resolution was adopted.

Mr. Hardin offered the following resolution, viz.:

Whereas, many of the nurses of Kentucky have heroically offered their services to their country to nurse its sick and wounded soldiers, who are fighting for the cause of freedom, and,

Whereas, in thus nobly responding to their country's call the nurses of Kentucky have furnished more than the quota allowed to it to that branch of service, and,

Whereas, it is fit and proper that the people of Kentucky should express in some way their pride in the patriotism of Kentucky's daughters in thus courageously devoting themselves to the cause of humanity and political liberty in thus sacrificing personal comfort, risking health and life in order that the cause for which our soldiers are fighting may triumph; now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That we, as the chosen representatives of the people of this Commonwealth, hereby express to these noble and devoted nurses the heartfelt appreciation of all our people for the sacrifice they are making and are about to make.

Said resolution was adopted.

A message was received from the Senate announcing that they had appointed a conference committee of three to act with a like committee of the House to confer relative to House amendment No. 3 to Senate Bill No. 329.

Thereupon Mr. Lee moved that the Speaker of the House appoint a conference committee of three to act with a like committee of the Senate.

Whereupon the Speaker appointed Messrs. Laughlin, Bowman and Hardin as such conference committee.

The House took up for consideration from the orders of the day a bill of the following title, viz.:

S. B. 341. An act to amend section 965, Kentucky Statutes, relating to the times of holding the sessions of circuit court in the Twenty-first District.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That so much of section 965, Kentucky Statutes, as relates to the Twenty-first Circuit Court District, be, and the same is, hereby amended by striking out the whole of the following portion of said section 965, to-wit:

Twenty-first District—Rowan county, at Morehead, on second Monday in January, twelve juridical days; second Monday in April, eighteen juridical days; second Monday in September, twelve juridical days.

Montgomery county, at Mt. Sterling, on the fourth Monday in January, eighteen juridical days; fourth Monday in May, eighteen juridical days; third Monday in October, twenty-four juridical days.

Bath county, at Owingsville, on the third Monday in February, eighteen juridical days; first Monday in May, eighteen juridical days; fourth Monday in September, eighteen juridical days.

Menifee county, at Frenchburg, on the second Monday in March, twelve juridical days; third Monday in June, twelve juridical days; third Monday in November, twelve juridical days, and in lieu thereof inserting the following:

Twenty-first District—Rowan county, at Morehead, on second Monday in January, twelve juridical days; second Monday in April, eighteen juridical days; second Monday in September, twelve juridical days.

Montgomery county, at Mt. Sterling, on the fourth Monday in January, eighteen juridical days; fourth Monday in May, eighteen juridical days; third Monday in October, twenty-four juridical days.

Bath county, at Owingsville, on the third Monday in February, eighteen juridical days; first Monday in May, eighteen juridical days; first Monday in October, twelve juridical days.

Menifee county, at Frenchburg, on the second Monday in March, twelve juridical days; third Monday in June, twelve juridical days; third Monday in November, twelve juridical days.

Mr. Street moved that said bill be tabled.

Said motion was disagreed to.

Ordered, that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	B. C. Beckmann	John Cook
L. D. Baldauf	H. V. Bell	A. S. Cooper
A. L. Baldwin	W. P. Bowman	James S. Cruse
W. T. Beckham	O. V. Brown	J. C. Davis

W. G. Dycus	Joseph Lazarus	Lewis Ryans
L. L. Embry	M. E. Lee	Avery Sartin
I. H. Gabbard	J. E. Lilly	Joe Schneider
Lark Garnett	Harry J. Meyers	T. J. Smith
M. E. Gilbert	Clarence Miller	Thomas Spurrier
W. H. Hager	S. H. Moore	John W. Swope
A. L. Hamilton	John T. Murphy	C. M. Thomas
L. B. Hamilton	Ryland C. Musick	J. B. Thomas
E. C. Hardin	A. J. McCandless	J. T Thornton
B. H. Harris	W. P. McDonogh	S. G. Thornberry
D. J. Howard	H. C. McGehee	W. F. Trusty
Joe Huddleston	S. Lee McGohan	J. Wood Vance
A. R. Hudson	H. C. McLellen	F. C. VanHoose
J. W. Johnson	W. B. O'Bannon	G. C. Waggoner
Leslie P. Jones	A. J. Oliver	G. Frank Walthal
W. H. Jones	T. P. Olliver	T. R. Welch
Griffin Kelly	W. F. Paris	W. N. Winn
W. F. Klair	Luther Pieratt	E. G. Young
H. A. Knollmann	Ote Piper	
S. D. Laughlin	Richard Radcliffe	—70

There voted in the negative—

Ben Street —1

Resolved, that the title thereof be as aforesaid.

The House took up for consideration from the orders of the day a bill entitled:

S. B. 187. An act to amend an act entitled an act relating to revenue and taxation, creating a State Tax Commission, providing for the appointment, qualification and term of office of its members, prescribing its powers and duties, appropriaing money therefor, providing for the assessment of property for taxation and the supervision and equalization of assessments and prescribing the powers and duties of county clerk, county assessors, sheriffs, collectors, the Rail-

road Commission, Auditor of Public Accounts and other officers performing some duty in reference to the taxation of property, creating county boards of supervisors, a State Board of Equalization and a State Board of Valuation and Assessment and defining their powers and duties, prescribing penalties and repealing existing statutes, approved May 21, 1917.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 6, chapter 11 of an act entitled, "An act relating to revenue and taxation, creating a State Tax Commission, providing for the appointment, qualification and term of office of its members, prescribing its powers and duties, appropriating money therefor, providing for the assessment of property for taxation and the supervision and equalization of assessments and prescribing the powers and duties of county clerks, county assessors, sheriffs, collectors, the Railroad Commission, Auditor of Public Accounts and other officers performing some duty in reference to the taxation of property, creating county boards of supervisors, a State Board of Equalization and a State Board of Valuation and Assessment and defining their powers and duties, prescribing penalties and repealing existing statutes," approved May 2, 1917, be amended by striking out the figures 1917 wherever they occur in said section and by substituting therefor the figures 1918, so that said section thus amended shall read as follows:

"Omitted Property—Penalty—Limitation.—When any money in hand, notes, bonds, accounts or other credits, secured or unsecured, or shares of stock liable to assessment shall in any one year be omitted from assessment, under the provisions of this act, it may at any time not later than ten (10) years thereafter be assessed retrospectively in the manner pro-

vided by sections 4258 to 4267, Kentucky Statutes, except that, in addition to the penalty prescribed by those sections, a penalty of one hundred per cent of the amount of the taxes and interest at six per cent per annum from the time should have been paid, shall be recovered. Said additional penalty and interest shall be paid into the State Treasury.

Provided, further, that after September 1st, 1918, no action shall be commenced nor proceeding taken on behalf of the state or any county, city, town or taxing district to assess for taxation for any period prior to September 1st, 1918, any personal property described in this section required to be listed for taxation which had theretofore been omitted or which may be claimed to have been omitted, if such property has been so listed for taxation as of September 1st, 1918, nor shall any pending action, prosecution or proceeding be amended so as to include any such personal property listed as of said date."

Mr. Meyers moved that said bill be laid on the table.

Said motion was agreed to.

Mr. Meyers moved that the vote by which said bill was laid on the table be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in the House of the following titles, viz.:

H. B. 368. An act to create the office of supervisor of parents, who are charged with wilful desertion or abandonment of indigent children under the age of sixteen years, and to provide for the duties of such supervisor, and provide for

the manner in which he is to be appointed and removed from office, and to provide for his compensation in counties having a population of 200,000 or more.

H. B. 403. An act to further regulate the operation of coal mines, to provide a more efficient supervision and regulation of such mines.

H. B. 225. An act to provide for county inspectors of apiaries and defining their duties, and providing for their compensation for the purpose of curing and avoiding foul brood and other diseases among bees and their hives.

H. B. 342. An act providing for the salaries of the deputy commissioners of circuit courts in counties having a population of two hundred thousand inhabitants or more, and repealing all laws or parts of laws in conflict herewith.

H. B. 223. An act to amend an act entitled an act to amend the school laws and to create boards of education and to define their duties in cities of the first class, approved March 4, 1910.

H. B. 257. An act to amend section 1072, Kentucky Statutes, 1915 edition, providing for the salary of county judges and the installments in which the same shall be paid.

A message was received from the Senate announcing that they had passed a bill which originated in the House of the following title, viz.:

H. B. 296. An act to repeal sections 3184, 3185, 3186, 3187, 3187a, 3187b, 3188 and 3189 of the Kentucky Statutes, and to enact in lieu thereof sections 3184, 3185, 3186, 3187, 3187a, 3187b, 3187c, 3187d, 3187e, 3187f, 3187g, 3187h, 3187i, 3187j, 3187k, 3188, 3189, 3189a and 3189b, relating to revenue and taxation in cities of the second class.

(For said bill see H. J. March 15th, 1918.)

With Senate amendment proposed thereto.

Said amendment reads as follows, viz.:

Amend House Bill No. 286 in Senate by striking out the word "June" and inserting the word "July" in lieu thereof in line three of section 3187k, on page 17 of the original bill, and page 16 of the printed bill.

Mr. Claude M. Thomas moved that the House concur in Senate amendment to House Bill No. 296.

Said motion was agreed to.

Said amendment was concurred in.

The yeas and nays being taken on the final passage of said House Bill No. 296, as amended by the Senate, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	L. L. Embry	W. F. Klair
L. D. Baldauf	I. H. Gabbard	H. A. Knollmann
A. L. Baldwin	M E. Gilbert	S. D. Laughlin
B. C. Beckmann	W. H. Hager	Joseph Lazarus
Leroy Bonta	J. S. Hall	M. E. Lee
J. L. Bradford	A. L. Hamilton	J. E. Lilly
O. V. Brown	L. B. Hamilton	Harry J. Meyers
R. J. Cain	E. C. Hardin	Clarence Miller
John Cook	B. H. Harris	S. H. Moore
James S. Cruse	D. J. Howard	John T. Murphy
W. G. Dycus	A. R. Hudson	Ryland C. Musick
F. A. Easterling	Leslie P. Jones	A. J. McCandless
J. M. Elliston	Griffin Kelly	W. P. McDonogh

H. C. McGehee	Avery Sartin	Elmore Thomas
S. Lee McGohan	Claude B. Smith	S. G. Thornberry
H. C. McLellen	R. T. Smith	J. Wood Vance
W. B. O'Bannon	T. J. Smith	F. C. VanHoose
W. F. Paris	Ben Street	G. Frank Walthal
Luther Pieratt	John W. Swope	T. R. Welch
Richard Radcliffe	C. M. Thomas	E. G. Young

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A message was received from the Senate announcing that they had adopted a resolution originating in that body of the following title, viz.:

S. Res. 30. Joint resolution commending the nurses of Kentucky for their services to their country.

Said resolution reads as follows, viz.:

Whereas, many of the nurses of Kentucky have heroically offered their services to their country to nurse its sick and wounded soldiers, who are fighting for the cause of freedom, and,

Whereas, in thus nobly responding to their country's call the nurses of Kentucky have furnished more than the quota allotted to it to that branch of service, and,

Whereas, it is fit and proper that the people of Kentucky should express in some way their pride in the patriotism of Kentucky's daughters in thus courageously devoting themselves to the cause of humanity and political liberty in thus sacrificing personal comfort, risking health and life in order that the cause for which our soldiers are fighting may triumph; now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That we, as the chosen representatives of the people of this Commonwealth, hereby express to these noble and de-

voted nurses the heartfelt appreciation of all our people for the sacrifice they are making and are about to make.

Mr. Claude M. Thomas moved that the rules be suspended and that said resolution be adopted.

Said motion was agreed to.

Said resolution was adopted.

Mr. Claude M. Thomas called up for consideration from the clerk's desk a resolution of the following title, viz.:

S. Res. 28. Joint resolution authorizing the Governor to offer a reward for the arrest and conviction of persons who poisoned horses belonging to the United States government in transit to France.

Said resolution reads as follows, viz.:

Whereas, through the traitorous machinations of this country's enemies a very large number of artillery horses destined for service in France, awaiting shipment at Covington, have been poisoned; and,

Whereas, this diabolical act of treason is clearly the work of those who enjoy the protection of our laws, and who, at the same time are working to subvert our government and aid the cause of Germany; and,

Whereas, it is of supreme importance that the perpetrators of this unspeakable crime be discovered and be made to pay the penalty for their treasonable act; now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the Governor of this Commonwealth be, and he is, hereby empowered to offer a reward for information leading

to the discovery, arrest and conviction of those who committed the aforesaid crime, or aided and abetted the commission thereof, in the sum of $500.00; and that he urge the active co-operation on the part of every arm of the state military and civil authority, with the Federal authorities, in their efforts to discover and lay bare this fresh conspiracy against the liberties of our country.

Mr. Claude M. Thomas moved that the rules be suspended and that said resolution be adopted.

Said motion was agreed to.

The yeas and nays being taken on the adoption of said resolution in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey	A. L. Hamilton	H. C. McGehee
L. D. Baldauf	E. C. Hardin	S. Lee McGohan
W. T. Beckham	B. H. Harris	W. B. O'Bannon
B. C. Beckmann	D. J. Howard	A. J. Oliver
H. V. Bell	Joe Huddleston	T. P. Olliver
Leroy Bonta	A. R. Hudson	W. F. Paris
W. P. Bowman	Leslie P. Jones	Ote Piper
J. L Bradford	Griffin Kelly	H. C. Rice
O. V. Brown	W. F. Klair	Avery Sartin
R. J. Cain	H. A. Knollmann	Joe Schneider
John Cook	W. T. Lasley	Claude B. Smith
W. P. Cropper	S. D. Laughlin	R. T. Smith
A. A. Demunbrun	Joseph Lazarus	T. J. Smith
W. G. Dycus	M. E. Lee	Ben Street
F. A. Easterling	Harry J. Meyers	John W. Swope
J. M. Elliston	S. H. Moore	C. M. Thomas
Lark Garnett	Ryland C. Musick	Elmore Thomas
M. E. Gilbert	A. J. McCandless	S. G. Thornberry
W. H. Hager	W. P. McDonogh	J. Wood Vance

F. C. VanHoose G. Frank Walthal W. N. Winn
G. C. Waggoner T. R. Welch —62

And so said resolution was adopted.

Mr. Claude M. Thomas, of the Committee on Rules, called up for consideration from the Clerk's desk a resolution of the following title, viz.:

S. Res. 16. Resolution for the benefit of R. G. Railey.

Said resolution reads as follows, viz.:

Whereas, R. G. Railey, of Monroe county, served as reading Clerk of the 1914 session of the Legislature for twenty-one days, for which service he has not been paid; therefore,

Be it resolved by the Senate and House of Representatives:

That said R. G. Railey be allowed the sum of $3.00 per day for twenty-one days out of any funds not otherwise appropriated.

The yeas and nays being taken on the adoption of said resolution in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

B. S. Bailey I. H. Gabbard H. A. Knollmann
L. D. Baldauf Lark Garnett S. D. Laughlin
B. C. Beckmann M. E. Gilbert Joseph Lazarus
H. V. Bell B. H. Harris S. H. Moore
Leroy Bonta A. R. Hudson John T. Murphy
W. P. Bowman Leslie P. Jones W. P. McDonogh
John Cook Griffin Kelly H. C. McGehee
A. A. Demunbrun W. F. Klair W. F. Paris

Avery Sartin	T. J. Smith	J. Wood Vance
Joe Schneider	C. M. Thomas	G. C. Waggoner
R. T. Smith	S. G. Thornberry	—32

Those who voted in the negative were—

W. H. Hager	S. Lee McGohan	T. R. Welch
W. T. Lasley	H. C. Rice	W. N. Winn
M. E. Lee	Claude B. Smith	E. G. Young
Harry J. Meyers	Ben Street	
A. J. McCandless	G. Frank Walthal	—13

And so said resolution was disagreed to.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

H. B. 181. An act making it unlawful to take certain varieties of fish from streams forming the boundary between this state and any other state or states, and from the navigable streams in this state by seines or nets, and providing the necessary regulations therefor, defining the powers and duties of certain officers and defining navigable and non-navigable streams.

H. B. 497. An act to put into effect the amendment to section 201 of the Constitution, being chapter 125 of the Acts of the General Assembly of 1916, adopted by the voters of the Commonwealth at the November election, 1917, to give to the Railroad Commission jurisdiction over the purchase or lease of one telephone company by another as required by such amendment,

H. B. 420. An act relating to assessment or co-operative life and accident insurance companies, amending section 681, Kentucky Statutes, 1915 edition, providing license for agents of foreign companies doing business in this state.

H. B. 151. An act to prohibit the German language from being taught in the public schools of Kentucky.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills, which originated in the House, and which have been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a bill of the following title, viz.:

H. B. 349. An act relating to dogs, the promotion of live stock industries, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show and breeding purposes; prescribing certain privileges for hunting dogs, providing for listing of dogs by county assessors and penalty for his failure to so list; providing for the assess-

ment of damages done by dogs, and payment therefor by the proper county to the owners of live stock and poultry, and of damages to licensed dogs; imposing powers and duties on certain state and county officers and providing penalties and fees.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said bill.

Ordered, that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bill, which originated in the House, to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bill, which originated in the House, and which has been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

And then the House recessed until eight o'clock p. m.

NIGHT SESSION.

A message was received from the Senate announcing that they had passed bills originating in the House of the following titles, viz.:

H. B. 437. An act to provide for a state flag for the Commonwealth of Kentucky and to prescribe the design thereof.

H. B. 68. An act relating to the destroying of election ballot stubs.

H. B. 186. An act to amend an act entitled, "An act to punish derogatory statements affecting any bank, savings bank or trust company," approved March 18, 1914, and to make the provisions of said act applicable to domestic insurance companies.

A message was received from the Senate announcing that they had passed a bill which originated in the House of the following title, viz.:

H. B. 38. An act dividing the Commonwealth of Kentucky into one hundred representative districts.

Together with the following amendments proposed thereto by the Senate, viz.:

(1) Amend H. B. 38 in the Senate by striking out of line 75, on page 4, the word "Henry," and inserting in lieu thereof the word "Gallatin," and by striking out of line 76, on page 4, the word "Gallatin" and inserting in lieu thereof the word "Henry," and by striking out of line 123, on page 6, the word "Rowan" and inserting in lieu thereof the word "Montgomery," and in line 124 the word "Montgomery" and insert in lieu thereof the word "Rowan."

(2) Amend section 1 by striking from line 30, page 3, all words save and except "Twenty-fifth District;" all of line 31, and all the words in line 32 except "the county of Warren," and place a period (.) after the word "Warren;" and strike out all of line 33, so that the paragraph, as amended, shall read "Twenty-fifth District, the county of Warren."

Also amend said section 1, page 3, by adding after the word "Warren" a new line as follows:

"Twenty-sixth District of the county of Nelson." Amend line 41, on page 3, by striking out the word "Nelson" and

inserting the word "Taylor," so that said line will read, "Thirty-fourth District of the counties of Taylor and Larue."

Amend line 43, on page 3, by striking out the word "Taylor" and inserting in lieu thereof the work "Casey," so that said line will read, "Thirty-sixth District of the counties of Casey and Adair."

Amend line 45, on page 3, by inserting between the words "of" and "Clinton" the word "Russell," so that said line will read "Thirty-eighth District of the counties of Russell, Clinton and Cumberland."

Amend line 46, on page 3, by striking out the words "counties of Casey and Russell" and inserting in lieu thereof the words "county of Washington."

Amend line 51, on page 3, by striking therefrom the words "counties of Mercer and Washington" and inserting in lieu thereof the words "county of Mercer," so that said line will read, "Forty-fourth District of the county of Mercer."

(3) Amend H. B. 38 in the Senate by striking out all of lines 58 and 59, on page 3, and all of lines 50 to 73, inclusive, on page 4, and insert in lieu thereof the following:

Fifty-first District. All of Jefferson county outside of the corporate limits of the city of Louisville, and the 42 to 53 precincts inclusive, of the Third Ward, 27 and 28 precincts of Fifth Ward, 49 and 50 precincts of Seventh Ward, 36th precinct of Eleventh Ward and the 32nd to 43rd precincts, inclusive, of the Twelfth Ward of the city of Louisville.

Fifty-second District. First to Fifteenth precincts, inclusive, of the First Ward of city of Louisville.

Fifty-third District. All of Second Ward and all of Third Ward, except 42nd to 53rd precincts, inclusive, of Third Ward of the city of Louisville.

"Fifty-fourth District. All of Fourth Ward and all of Fifth Ward except the 27th and 28th precincts of the city of Louisville.

Fifty-fifth District. All of Sixth Ward and all of the Seventh Ward except the 49th and 50th precincts of the Seventh Ward of the city of Louisville.

Fifty-sixth District. Of the county of Jefferson, embracing the territory of the eighth and ninth wards of the city of Louisville.

Fifty-seventh District. All of the Eleventh Ward except the 36th precinct, and all of the Twelfth Ward, except the 32nd to 43rd precincts, inclusive, of the Twelfth Ward, city of Louisville,

(4) Amend H. B. 38 by striking out all of lines 101, 102, 103 and 104, inclusive, of the printed bill and substitute in lieu thereof the following, viz.:

"Seventy-fifth District of that part of the county of Fayette lying outside the corporate limits of the city of Lexington as said limits existed in the year 1904 and for a period of ten years prior thereto.

"Seventh-sixth District of that part of Fayette county embracing the territory within the corporate limits of the city of Lexington as the same existed in the year 1904 and for a period of ten years prior thereto."

Mr. Spurrier moved that the House concur in Sen-Amendment No. 1 to House Bill No. 38.

Said motion was agreed to.

Said amendment was concurred in.

Mr. Spurrier moved that the House non-concur in Senate amendment No. 2 to House Bill No. 38.

Said motion was agreed to.

Said amendment was non-concurred in.

Mr. Klair moved that the House concur in Senate Amendment No. 3 to House Bill No. 38

Said motion was agreed to.

Said amendment was concurred in.

Mr. Klair moved that the House concur in Senate Amendment No. 4 to House Bill No. 38.

Said motion was agreed to.

Said amendment was concurred in.

A message was received from the Senate announcing that they had passed bills originating in the House of the following titles, viz.:

H. B. 363. An act to authorize the guardian of an infant curator or the committee of a person of unsound mind to lease the real estate or any interest therein of infant or person of unsound mind for the removal of oil and mineral and other mining purposes, and regulating the procedure therefor, and repealing chapter 99 of the Acts of the regular session of the General Assembly of the Commonwealth of Kentucky during the year 1916.

H. B. 40. An act to amend and re-enact section 4039 of Kentucky Statutes, edition 1915, relating to the assessment of real estate or other property, owned by non-residents of the state, or of the county in which such real estate, or interest therein, or other property is located, and providing a penalty for a failure to assess such property as herein provided.

H. B. 297. An act to prescribe and provide a license tax upon all persons, firms or corporations standing a stud-

horse, jack or bull in this Commonwealth, and fixing the amount of said license, fixing the date of the expiration of the license provided for, and providing the manner for registering and recording of the breed, name, age, color, sire and dam of the animal to be licensed, and fixing a fee for such registration, and fixing penalties for failure to procure licenses.

H. B. 194. An act to provide for the teaching of elementary agriculture in the common schools of Kentucky, except in cities of the first, second, third and fourth classes, and to require teachers to be examined on said subject.

H. B. 39. An act relating to the payment of poll tax where the taxpayer assesses no property subject to taxation.

H. B. 218. An act to amend subsection 1 of section 6 of chapter 4 of the Acts of the General Assembly of Kentucky of 1908, which chapter 4 is an act entitled an act preventing the manufacture and sale of adulterated or misbranded foods, drugs, medicines and liquors, and providing penalties for violation thereof.

H. B. 108. An act repealing section 4527, chapter 113, article 16, Kentucky Statutes, Carroll's edition, 1915, relative to the State Normal School for colored persons and amending and re-enacting same

H. B. 515. An act to provide for the opening of private passways.

H. B. 178. An act to amend an act, section 1309 of Kentucky Statutes, Carroll's edition, 1915, relating to carrying concealed deadly weapons.

H. B. 175. An act to amend section 1, article 3, chapter 79 of the Acts of the General Assembly of 1914, being an

act entitled an act further regulating the operation of coal mines; to provide a more efficient supervision and regulation of such mines; to provide for the appointment of two additional assistant inspectors; to fix the salary of the chief inspector and assistant inspector of mines, and to otherwise provide for greater protection to the lives and health of persons employed in and about the coal mines in this state, which act was approved March 23, 1914.

H. B. 243. An act relating to the office of police judge in cities of the second class, in this Commonwealth.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

H. B. 199. An act repealing, amending and re-enacting section 215 of the Acts of 1916, chapter 24, and repealing, amending and re-enacting section 216, chapter 34, Acts 1916, and repealing, amending and re-enacting section 217, chapter 24, Acts 1916, of the compulsory attendance law.

H. B. 412. An act requiring interurban railway companies, operating in this Commonwealth, to equip their passenger cars with bundle racks.

H. B. 173. An act to create a board of trustees for the government, administration and control of the University of Kentucky, providing for its appointment, and repealing previous laws relating to same subject.

H. B. 402. An act to amend subsection 4 of section 331a of Kentucky Statutes, Carroll's edition, 1915, relating to the employment of children.

H. B. 471. An act to provide a lien on motor vehicles for services or work done, or for accessories or supplies fur-

nished by garages, mechanics, repairmen or other individuals or corporations.

H. B. 502. An act to repeal an act to incorporate the town of Ford, Clark county, Kentucky, and an act amendatory thereto.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills, which originated in the House, to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills, which originated in the House, and which have been signed by the presiding officer of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

H. B. 257. An act to amend section 1072 of the Kentucky Statutes, 1915 edition, providing for the salary of county judges and the installments in which the same shall be paid.

H. B. 279. An act changing the time of holding circuit courts in the Twenty-fourth Judicial District, composed of the counties of Johnson and Martin.

H. B 401 An act to regulate the transportation of ground limestone for agricultural purposes; specifying rates to be charged for same and defining the maximum weight per carload.

H. B. 403. An act relating to mines and mining; to further regulate the operation of coal mines; to provide a more efficient supervision and regulation of such mines; to provide for the appointment and to fix the salaries of the Chief Inspector anl the Assistant Inspector of Mines, and to otherwise provide for the greater protection to the lives and health of persons employed in and about the coal mines in this state; to provide for partitioning the coal fields of the state into rescue station divisions and for the training of rescue crews by the Chief Inspector and the Assistant Inspector of Mines.

H. B. 278. An act to provide for the compulsory education of the deaf and providing penalties for a violation thereof.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate

After a time the Enrolling Clerk delivered the original and enrolled bills, which originated in the House, to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills, which originated in the House, and which have been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

H. B. 523. An act to regulate the weighing and sampling of milk.

H. B. 317. An act to repeal an act entitled an act to incorporate the town of Dunnville, in Casey county, being chapter 694 of session Acts of 1877-1878, approved March 30, 1878.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills, which originated in the House, to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills, which originated in the House, and which have been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Waggoner moved that the receipt for the donation to the Red Cross Chapter of Franklin county be spread upon the Journal of the House.

Said motion was agreed to.

Said receipt is as follows, viz.:

Received of George Waggoner and Arch L. Hamilton five hundred and forty-seven dollars and forty-eight cents, ($547.48), donated from the Kentucky House of Representatives to the Kentucky Red Cross Society.

(Signed) W. PRUETT GRAHAM,
Chairman Franklin County Chapter Red Cross.
March 20th, 1918.

Mr. L. P. Jones offered the following resolution, viz:

Whereas, the American War Department is speedily sending the American trained soldiers to fight across the sea; and,

Whereas, we have been associated for sixty days in this House of Representatives with two from among that great host of young men, the flower of American manhood; and,

Whereas, these two young men have not only proven themselves capable and worthy and well qualified to occupy their seats in this law making body, but have done honor to the uniform they wear; therefore,

Be it resolved by the House of Representatives:

That we extend to them our every good wish and assure them that their sorrows will be our sorrow; that their joys will be our joys when they are "over there."

Said resolution was adopted.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a bill of the following title, viz.:

S. B. 159. An act to suppress, prevent, control and eradicate communicable disease in live stock, to provide the necessary officers and define their duties and powers, and to appropriate funds necessary for its enforcement, and repealing sections 63a of article 2, chapter 5, Carroll's 1915 edition, Kentucky Statutes.

Whereupon all other business was suspended, said bill was read at length and compared in open House and found to be correctly enrolled.

Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to said bill.

Ordered, that the Enrolling Clerk deliver said bill to the Senate.

A message was received from the Senate announcing that they had receded from amendment No. 2 proposed to House Bill No. 38.

The House then took up for consideration House Bill No. 38, and the yeas and nays being taken on the final passage of House Bill No. 38, as amended by the Senate, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Ed. L. Allen	J. H. Ballard	B. C. Beckmann
Chas. Ashby	A. L. Baldwin	H. V. Bell
B. S. Bailey	Robert Bays	O. V. Brown
L. D. Baldauf	W. T. Beckham	T. L. Caudel

H. C. Chappell	W. F. Klair	Lewis Ryans
Fred Cornelius	H. A. Knollmann	Avery Sartin
J. C. Davis	W. T. Lasley	Joe Schneider
A. A. Démunbrun	M. E. Lee	Claude B. Smith
W. G. Dycus	J. E. Lilly	R. T. Smith
F. A. Easterling	Harry J. Meyers	Thomas Spurrier
J. M. Elliston	Clarence Miller	C. M. Thomas
I. H. Gabbard	John T. Murphy	Elmore Thomas
M. E. Gilbert	Ryland C. Musick	G. F. Thompson
W. H. Hager	A. J. McCandless	J. T. Thornton
J. S. Hall	W. P. McDonogh	J. Wood Vance
L. B. Hamilton	H. C. McGehee	F. C. VanHoose
E. C. Hardin	S. Lee McGohan	G. C. Waggoner
D. J. Howard	W. B. O'Bannon	G. Frank Walthal
Joe Huddleston	T. P. Olliver	T. R. Welch
J. W. Johnson	W. F. Paris	W. N. Winn
Leslie P. Jones	Lilburn Phelps	E. G. Young
Griffin Kelly	Luther Pieratt	

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Those who voted in the negative were—

R. J. Cain	S. D. Laughlin	J. B. Thomas
John Cook	Richard Radcliffe	S. G. Thornberry
Lark Garnett	John W. Swope	W. F. Trusty

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Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

H. B. 21. An act to further amend and re-enact section 1394 of the Kentucky Statutes relating to sinking fund in cities of the second class.

H. B. 223. An act to amend an act entitled an act to amend the school laws and to create boards of education and to define their duties in cities of the first class, which was approved March 4, 1910.

H. B. 221. An act to repeal an act entitled an act to incorporate and establish a public school for colored people in the town of Hawesville, and within a radius of two miles of the court house in said town, approved March 19, 1888, and all amendments thereto.

H. B. 136. An act to amend chapter 22b, section 415b, subsections 6 and 15 of Carroll's Kentucky Statutes, 1915 edition, entitled an act to repeal and re-enact an act entitled an act granting pensions to indigent and disabled Confederate soldiers, which became a law March 18, 1914.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills, which originated in the House, to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills, which originated in the House, and which have been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled bills of the following titles, viz.:

H. B. 68. An act relating to the destroying of election ballot stubs.

H. B. 380. An act to amend and re-enact section 30 of chapter 1 of the Acts of the Extraordinary Session of the General Assembly of 1917, and also to repeal and re-enact section 4239d of the Kentucky Statutes, edition 1915, relating to the duties and compensation of the county clerk in making certification of tax books, making out tax bills and recapitulation sheets.

H. B. 186. An act to amend an act entitled an act to punish derogatory statements affecting any bank, savings bank or trust company, approved March 18, 1914, and to make the provisions of said act applicable to domestic insurance companies.

H. B. 437. An act to provide for a state flag for the Commonwealth of Kentucky and to prescribe the design thereof.

H. B. 342. An act providing for the salaries of the deputy commissioners of circuit courts in counties having a population of two hundred thousand or more, and repealing all laws or parts of laws in conflict herewith.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives, in open session, in the presence of the House, affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills, which originated in the House, to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills, which originated in the House, and which have been signed by the presiding officers of the House and Senate, to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a bill of the following titles, viz.:

H. B. 256. An act to repeal and re-enact subsections 1, 3, 4, 8, 12, 14 and 26 of section 4421-A, of the Kentucky Statutes, Carroll's edition of 1915, and to repeal and re-enact section 4421-B of Kentucky Statutes, Carroll's edition of 1915, and to repeal and re-enact section 1 of chapter 8 of the Acts of the General Assembly of Kentucky of 1915, all relating to the adoption, sale and distribution of school Text books in the State of Kentucky and in the cities of the first, second, third, and fourth class.

Whereupon all other business was suspended, said bill read at length and compared in open House, and was found to be correctly enrolled. Thereupon, the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill.

Ordered, that the Enrolling Clerk deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bill which originated in the House to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bill which originated in the House and which has been signed by the presiding officers of the House and Senate to the Governor.

After a time the Chief Clerk reported that he had performed that duty.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled a bill of the following title, viz.:

S. B. 191. An act to provide for the commitment, care, treatment, training, segregation and custody of feeble-minded, epileptic and insane persons; to provide an appropriation therefor and to repeal all acts inconsistent herewith, and specifically sections 264 to 271 inclusive of the Kentucky Statutes, Carroll's edition of 1915, which concern the Kentucky Institute for the Feeble-Minded Children, and sections 2156 to 2171 inclusive of the Kentucky Statutes, Carroll's edition of 1915, which concern idots and lunatics, and provide penalties for the violation of this act.

Whereupon all other business was suspended, said bill was read at length and compared in open House, and was found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to said bill.

Ordered, that the Enrolling Clerk deliver said bill to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

S. B. 152. An act to appropriate money to be expended by the Board of Prison Commissioners for improvements in the cell houses at the State Penitentiary, Eddyville, Ky.

S. B. 105. An act to provide an automobile for the use of Commonwealth's Attorneys for districts containing cities

of the first class, and authorizing the fiscal court of counties containing such districts to furnish and to provide for the same and upkeep of same.

S. B. 307. An act to amend section 513 of the Kentucky Statutes (Carroll's edition of 1915), relating to the indexing of records of county clerks.

S. B. 168. An act to appropriate money to be expended by the Board of Prison Commissioners at the State Reformatory, Frankfort, Ky., for complete electric wiring throughout, heating plant for shoe factory, new boilers, electic motor and engine and dynamo.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

S. B. 193. An act authorizing the State Board of Education to issue certificates to teach to students of educational institutions not supported by state funds within the State of Kentucky; creating a board of regents to inspect normal schools for determining what institutions are entitled to such privileges; defining the conditions under which such privileges shall be granted; and repealing all laws or parts of laws in conflict therewith.

S. B. 317. An act to enlarge and extend the powers, duties and privileges of the Insurance Commissioner and providing for the appointment of a Superintendent of Fire Insurance rates and prescribing his duties and fixing his salary, and abolishing the State Insurance Board and attorney therefor.

S. B. 47. An act to repeal and re-enact sections 296 and 297 of the Kentucky Code of Practice relating to the issue, reinstatement, or dissolution of temporary injunctions by a Judge of the Court of Appeals.

S. B. 184. An act to amend and re-enact subsections 1, section 4780-A, chapter 133 of the Kentucky Statutes, relating to oil warehouses.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

S. B. 316. An act to create a State Board of Control for the management and supervision of the penal and eleemosynary institutions of this State; to vest in said board all the powers, duties and privileges now vested by law in the Board of Control and the Board of Prison Commissioners of the State of Kentucky, fixing the salaries of the members and terminating the terms of office of the members of said existing boards.

S. B. 207. An act to amend section 2773 of the Kentucky Statutes, Carroll's edition of 1915, concerning the journals of the Boards of the General Council, and the publication of the proceedings of the said boards in cities of the first class, being part of an act entitled "An act for the government of cities of the first class," approved July 1, 1893.

S. B. 324. An act relating to public printing and binding, and to require state departments, boards, commissioners and institutions to submit annual or biennial reports or special or extraordinary printing to the Board of Printing Commissioners before the printing thereof.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

S. B. 318. An act abolishing the offices of State Forester and State Geologist and creating the office of Commissioner of Geology and Forestry, providing for a deputy and fixing salaries and extending the appropriation to the Kentucky Geological Survey so as to cover the same and that of the State Board of Forestry, repealing portion of sections 1905c, 2007a and 2007b, Kentucky Statutes, Carroll's edition of 1915.

S. B. 80. An act prescribing the time for filing the annual report or statement of railway, telephone, telegraph, express and other public utility companies with the Auditor of

Public Accounts, Tax Commission and Railroad Commission and repealing conflicting laws.

S. B. 279. An act relating to banks and banking, being an act to amend section 579, Kentucky Statutes, Carroll's edition 1915, entitled "Business—when may begin—powers of corporation."

S. B. 280. An act relating to banks and banking, being an act to amend section 583, Kentucky Statutes, Carroll's edition 1915, entitled "Indebtedness of persons to—highest amount permitted."

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

S. B. 19. An act to amend and re-enact sections 1456, 1457, 1459, 1462 and 1465 Kentucky Statutes (Carroll's edition 1915), relating to elections, sub-head how conducted, declaring who is an "absent voter," permitting him to register, and to vote in all general elections, except for municipal officers, members of school boards and trustees of common schools, and providing a method therefor, and fixing penalties for a violation thereof.

S. B. 132. An act amending sections 2, 51, 207, 121 and 212 of chapter 24, acts of 1916, and subsection 31 of section 2978a, Kentucky Statutes.

S. B. 244. An act to repeal and re-enact chapter 67, of the Acts of the General Assembly of 1910, relating to "Courts of Justice."

S. B. 155. An act to prevent idleness in the Commonwealth of Kentucky during the continuance of the war in which the United States is now engaged, and prescribing the duties of civil and police officers of the State.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

S. B. 102. An act to amend section 2751 Kentucky Statutes, Carroll's edition of 1915, providing for the publication of general ordinances of cities of the first class, being a part of an act entitled "An act for the government of cities of the first class," approved July 1, 1893.

S. B. 48. An act to amend and re-enact section 4023 of the Kentucky Statutes, Carroll's edition of 1915, relating to revenue and taxation.

S. B. 195. An act to futher provide for the organization, armanent, equipment, discipline and government of the militia, and providing for the qualifications and terms of office of certain military officers.

S. B. 206. An act to repeal section 2774 of the Kentucky Statutes, Carroll's edition of 1915, concerning the publication of an act entitled "An act for the government of cities of the first class," approved July 1, 1893.

S. B. 144. An act to amend section 428, Civil Code of Practice.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

S. B. 148. An act to amend and re-enact section 5 of an act entitled "An act repealing sections 4217, 4217a, of the Kentucky Statutes, and requiring permits for certain kinds of merchants; defining temporary and transient merchants, and providing for licensing same, regulating the advertising, representations and business of such merchants and prescribing penalties for failure to comply with the provisions of this act," being chapter 111 of the Acts of 1916.

S. B. 342. An act to more clearly define the method and procedure for the imposition of inheritance taxes on contingent interests or estates and to amend sections 4281a to 4281s, both inclusive, Kentucky Statutes, Carroll's 1915 edition, and chapter 26 of the Acts of 1916, by prescribing the rate of tax and the method of collecting same on contingent interests or

estates and providing for a refund upon the happenings of the contingency to persons who are required to pay a less amount than the tax imposed and paid.

S. B. 165. An act relating to the Bureau of Agriculture, Labor and Statistics, providing that it shall do demonstration work and may co-opeate with State and Government authorities in holding agricultural meetings, and making an appropriation therefor.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

S. B. 20. An act abolishing the fellow servant rule of law and modifying the doctrine of contributory negligence and assumed risk between master and servant, in actions arising between common carriers and their employees in this State.

S. B. 203. An act to amend subsection 3 of section 648a of the Kentucky Statutes, being an act of March 24, 1906, chapter 144, of the Acts of 1906; and to amend sub-section 3 of section 648a of the Kentucky Statutes, as amended by section 3 of chapter 93 of the Acts of 1912.

S. B. 141. An act to regulate the use and sale of wood alcohol and fixing a penalty.

S. B. 28. An act to amend and re-enact section 2248, Kentucky Statutes.

S. B. 286. An act relating to the supervisor of Revenue Agents, and revenue agents, and placing them under the supervision and direction of the State Tax Commission.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

S. B. 68. An act to amend and re-enact section 217 of chapter 24, Acts 1916, of the General Assembly, so as to give magistrates and police courts of this State concurrent jurisdiction with the county courts in violations of the compulsory school law.

S. B. 40. An act to amend section 2514 Kentucky Statutes, Carroll's edition 1915, entitled "Actions that must be brought within fifteen years after accrual of right."

S. B. 107. An act to amend an act entitled "An act to amend and re-enact section 1, chapter 31 of an act entitled an act providing for the creation of and regulation of private corporations," approved March 21, 1896, and being section 603 of the Kentucky Statutes, approved March 15, 1898.

S. B. 341. An act to amend section nine hundred and sixty-five, Kentucky Statutes, relating to the time of holding

the sessions of circuit court in the twenty-first judicial district.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

S. B. 305. An act relating to domestic stock fire insurance companies, permitting such companies to issue shares of stock in ten dollar certificates and validating such as may have been heretofore issued.

S. B. 186. An act to require incorporated cities and towns to maintain government by the election of officers and the levying and collection of taxes of such cities and towns and providing for forfeiture of charter and manner of proceeding therein.

S. B. 97. An act providing for the formation and carrying on of corporate associations and providing for rights, powers and liabilities and duties of the same, and making it unlawful for anyone to use the title "co-operative" as part of its or his or their business name or title unless such person or corporation or company has complied with the provisions of this act.

S. B. 231. An act to prevent fraudulent advertising in the State of Kentucky.

S. B. 36. An act to amend and re-enact section 1845 Kentucky Statutes.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz:

S. B. 274. An act entitled an act to amend sections 854 to 878 both inclusive of the Kentucky Statutes of 1915, compiled by the Hon. John D. Carroll and to regulate the organization, incorporation and management of building and loan associations, creating the department of building and loan associations in the office of the banking commissioner and providing for the appointment of examiners and prescribing their duties and for the examination of all building and loan associations organized and doing business under the laws of this Commonwealth.

S. B. 15. An act to amend section 1358 Kentucky Statutes.

S. B. 329. An act to abolish certain offices, terminating the terms of the present incumbents, repealing appropriations provided for such offices and enlarging and extending the powers, duties and privileges of certain other offices.

S. B. 345. An act to amend section 2 of chapter 69 of an act of the General Assembly of 1914, which is "An act to regulate, license and govern use of motor vehicles."

S. B. 273. An act to amend an act entitled "An act for the government of cities of the fourth class."

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled resolutions of the following titles, viz.:

S. Res. 28. Joint resolution authorizing the Governor to offer a reward for arrest and conviction of persons who poisoned horses belonging to U. S. Government in transit to France.

S. Res. 30. Joint resolution commending the nurses of Kentucky for their services to their country.

Whereupon all other business was suspended, said resolutions were severally read at length, and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Repesentatives in open session in the presence of the House affixed his signature to each of said resolutions.

Ordered, that the Enrolling Clerk deliver said resolutions to the Senate.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

H. B. 164. An act to amend and re-enact chapter 9 of the acts of the extraordinary session of the General Assembly of 1917, which act imposes a license or franchise on any person, firm, corporation or association engaged in the production of crude petroleum in this State, and authorizing county officials to impose such tax for roads, schools and county purposes; providing methods of detemining the amount of tax due and prescribing the manner of payment of State tax and imposing penalties for the violation of the act.

H. B. 313. An act to repeal and re-enact section 2 of chapter 74 of the Acts of 1914, relating to husband and wife, and setting out clearly the duty of the county clerk in issuing marriage license.

H. B. 126. An act to provide whole family protection for members of fraternal benefit societies.

H. B. 460. An act providing for the appointment of a member of the State Tax Commission to succeed the Auditor of Public Accounts on said Commission.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills, which originated in the House, to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills, which originated in the House, and which have been signed by the presiding officers of the House and Senate, to the Gover-

nor. After a time the Chief Clerk reported that he had performed that duty.

Mr. Young, of the Committee on Enrollments, reported that they had examined and found correctly enrolled, bills of the following titles, viz.:

H. B. 420. An act relating to assessment or co-operative life and accident insurance companies, amending section 681, Kentucky Statutes, 1915 edition, providing license for agents of foreign companies doing business in this State.

H. B. 122. An act to amend and re-enact section 3523 of Carroll's edition of the Kentucky Statutes.

H. B. 21. An act to further amend and re-enact section 3194 of the Kentucky Statutes relating to sinking funds in cities of the second class.

H. B. 223. An act to amend an act entitled "An act to amend the school laws and to create Boards of Education and to define their duties in cities of the first class," which was approved March 4, 1910.

H. B. 221. An act to repeal an act entitled "An act to incorporate and establish a public school for colored people in the town of Hawesville, and within a radius of two miles of the courthouse in said town," apyroved March 19, 1888, and all amendments thereto.

H. B. 136. An act to amend chapter 22b, section 415b, subsections 6 and 15 of Carroll's Kentucky Statutes, 1915 edition, entitled "An act to repeal and re-enact an act entitled an act granting pensions to indigent and disabled Confederate soldiers," which became a law March 18, 1914.

H. B. 68. An act relating to the destroying of election ballot stubs.

H. B. 380. An act to amend and re-enact section 30 of chapter 1 of the acts of the Extraordinary Session of the General Assembly of 1917, and also to repeal and re-enact section 4239d of the Kentucky Statutes, edition of 1915, relating to the duties and compensation of the county clerk in making certification of tax books, making out tax bills and recapitulation sheets.

H. B. 186. An act to amend an act entitled "An act to punish derogatory statements affecting any bank, savings bank or trust company," approved March 18, 1914, and to make the provisions of said act applicable to domestic insurance companies.

H. B. 437. An act to provide for a State flag for the Commonwealth of Kentucky and to prescribe the design thereof.

H. B. 342. An act providing for the salaries of the deputy commissioners of circuit courts in counties having a population of two hundred thousand inhabitants or more, and repealing all laws or parts of laws in conflict herewith.

H. B. 256. An act to repeal and re-enact subsections 1, 3, 4, 8, 12, 14 and 25 of section 4421a of the Kentucky Statutes, Carroll's edition of 1915, and to repeal and re-enact section 4421b of Kentucky Statutes, Carroll's edition of 1915, and to repeal and re-enact section 1 of chapter 8 of the Acts of the General Assembly of Kentucky of 1916, relating to the adoption, sale and distribution of school text books in the State of Kentucky and in the cities of the first, second, third and fourth class.

H. B. 206. An act to amend subsection 4 of chapter 13 of the Acts of the General Assembly of 1916, relating to corrupt practices, by inserting after the word "on" at the end of line 4 of said subsection, the words "or before," and by in-

serting after the word "on" in line six of said subsection the words "or before."

H. B. 371. An act changing the time of holding circuit court in second judicial district.

H. B. 461. An act to amend and re-enact section 4122 Kentucky Statutes, edition 1915.

H. B. 173. An act to create a board of trustees for the government, administration and control of the University of Kentucky, providing for its appointment, and repealing previous laws relating to same subject.

H. B. 111. An act relating to election returns of districts composed of more than one county.

H. B. 274. An act to provide for the payment of the clerical assistance of the Auditor of Public Accounts, and for additional assistance for the proper conduct of said office.

H. B. 251. An act authorizing the Fiscal court of counties containing a population of over two hundred thousand (200,000) wherein there is located a city of the first class to contract with the board of trustees of the free public library of any such city for the purpose of granting to the residents and schools of such county the same privileges afforded by such library to residents and schools of said city and for the purpose of enabling the said fiscal court to appropriate a sum of money annually for the maintenance and support of such library payable out of the county levy funds in its hands.

H. B. 171. An act creating and relating to the office of County Road Engineer in counties containing more than 200,000 population and providing for his term of office, qualifications, assistants and compensation, and repealing all laws in conflict herewith.

H. B. 22. An act to repeal and re-enact section 1, chapter 39, of the Acts of 1916, amending chapter 19 of the Acts of 1914, which is an act concerning the trial and punishment of prisoners indicted for felony and misdemeanor.

H. B. 384. An act to authoize the appointment of the commanding officer of Camp Zachary Taylor as one of three members of a General Zachary Taylor Memorial Commission who shall collect and expend the necessary funds to make the birth and burial place of General Zachary Taylor a lasting tribute to his memory.

H. B. 390. An act relating to exemptions of household goods and other personal property to a person with a family, and prescribing the duties of the county clerk in relation thereto, and fixing his compensation.

H. B. 248. An act to amend and extend chapter seventy-one of the Acts of the General Assembly of the Commonwealth of Kentucky, approved March 21, 1902, entitled: "An act providing for the establishment and maintenance of free public libraries in cities of the first class (which is also section 2801b, subsection 3 of Kentucky Statutes, edition of Anno Domini, one thousand nine hundred and fifteen (A. D. 1915) edited by Honorable John D. Carroll), and to authorize free public libraries of cities of the first class to mortgage property or to issue bonds thereon, and to authorize cities of the first class to guarantee the payment of any bonds issued by the said free public libraries either the principal or interest or both.

H. B. 471. An act to provide a lien on motor vehicles for services or work done, or for accessories, or supplies furnished by garages, mechanics, repairmen or other individuals or corporations.

H. B. 403. An act to further regulate the operation of coal mines. To provide a more efficient supervision and regulation of such mines.

H. B. 349. An act relating to dogs, the promotion of live stock industries, and the potection of live stock and poultry from damages by dogs; providing for the licensing of dogs; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, providing for listing of dogs by county assessor and penalty for his failure to so list; providing for the assessment of damages done by dogs, and payment therefor by the proper county to the owners of live stock and poultry, and of damages to licensed dogs; imposing powers and duties on certain State and county officers and providing penalties and fees.

H. B. 181. An act making it unlawful to take certain varieties of fish from streams forming the boundary between this State and any other State or States, and from the navigable streams in this State by seines or nets, and providing the necesary regulations therefor, defining the powers and duties of certain officers and defining navigable and nonnavigable streams.

H. B. 151. An act to prohibit the German language from being taught in the public schools of Kentucky.

H. B. 412. An act requiring interurban railway companies operating in this Commonwealth to equip their passenger cars with bundle racks.

H. B. 199. An act repealing, amending and re-enacting section 215 of the Acts 1916, chapter 24 and repealing, amending and re-enacting section 216, chapter 24, Acts 1916, and repealing, amending and re-enacting section 217, chapter 24, Acts 1916, of the compulsory attendance law.

H. B. 257. An act to amend section 1072, Kentucky Statutes, 1915 edition, providing for the salary of county judges and county attorneys and the installments in which the same shall be paid.

H. B. 279. An act changing the time of holding circuit courts in the Twenty-fourth Judicial District composed of the counties of Johnson and Martin.

H. B. 401. An act to regulate the transportation of ground limestone for agricultural purposes—specifying rates to be charged for same and defining the maximum weight per car load.

H. B. 523. An act to regulate the weighing and sampling of milk.

H. B. 317. An act to repeal an act entitled "An act to incorporate the town of Dunnville in Casey County."

H. B. 278. An act to provide for the compulsory education of the deaf and providing penalties for violations thereof.

H. B. 502. An act to repeal an act of the General Assembly of 1880, incorporating the town of McKinney, Lincoln County, Kentucky.

H. B. 402. An act to repeal and re-enact subsection 4 of section 331-A of Kentucky Statutes, Carroll's edition, relating to the employment of children.

H. B. 225. An act to provide for county inspectors of apiaries and defining their duties, and providing for their compensation for the purpose of curing and avoiding foul brood and other diseases among bees and their hives.

H. B. 500. An act to repeal an act to incorporate the town of Ford, Clark County, Kentucky, and an act amendatory thereto.

H. B. 108. An act repealing section 4527, chapter 113, article 16, Kentucky Statutes, Carroll's edition 1915, relative to the State Normal School for colored persons and amending and re-enacting same.

H. B. 368. An act to create the office of supervisor of parents who are charged with wilful desertion or abandonment of indigent children under the age of sixteen years, and to provide for the duties of such supervisor, and to provide for the manner in which he is to be appointed and removed from office, and to provide for his compensation in counties having a population of 200,000 or more.

H. B. 40. An act to amend and re-enact section 4039 of Kentucky Statutes, edition 1915, relating to the assessment of real estate, or other property, owned by nonresidents of the State, or of the county in which such real estate, or interest therein, or other property, is located, and providing a penalty for the failure to assess such property as herein provided.

H. B. 38. An act dividing the Commonwealth of Kentucky into one hundred representative districts.

H. B. 243. An act relating to the office of police judge in cities of the second class in this Commonwealth.

H. B. 515. An act to provide for the opening of private passways.

H. B. 178. An act to amend an act, section 1309 of Kentucky Statutes, Carroll's 1915 edition, relating to carrying concealed deadly weapons.

H. B. 194. An act to provide for the teaching of elementary agriculture in the common schools of Kentucky, except in cities of the first, second, third and fourth classes, and to require teachers to be examined on said subject.

H. B. 39. An act relating to the payment of poll tax where the taxpayer assesses no property subject to taxation.

H. B. 175. An act to amend section 1, article 3, chapter 79, of the Acts of the General Assembly of 1914, being an act entitled: "An act further regulating the operation of coal mines; to provide a more efficient supervision and regulation of such mines, to provide for the appointment of two additional assistant inspectors, to fix the salary of the chief inspector and assistant inspectors of mines, and to otherwise provide for greater protection to the lives and health of persons employed in and about the coal mines in this State, which act was approved March 23, 1914.

H. B. 363. An act to authorize the guardian of an infant curator or committee of a person of unsound mind to lease the real estate or any interest therein of infant or person of unsound mind for the removal of oil and mineral and other mining purposes, and regulating the procedure therefor, and repealing chapter 99 of the acts of the regular session of the General Assembly of the Commonwealth of Kentucky during the year 1916.

H. B. 127. An act for the benefit of the Kentucky schools for the deaf, white and colored, carrying an appropriation of fifty dollars increase in per capita, and special appropriations of twelve thousand nine hundred and fifty dollars.

H. B. 269. An act to amend section 3462, chapter 89, Kentucky Statutes, Carroll's 1915, relating to the government of cities of the third class and providing for election of Board of Education.

H. B. 281. An act to amend and re-enact sections 3800a and 3813 (19) Kentucky Statutes, Carroll's edition 1915, said section 3800a relating to assistant deputy wardens of the penitentiaries of the Commonwealth of Kentucky, and said section 3913 (19) relating to salaries of officers and guards of said penitentiaries.

H. B. 218. An act to amend subsection 1 of section 6 of chapter 4 of the acts of the General Assembly of Kentucky of 1908, which chapter 4 is an act entitled: "An act for preventing the manufacture and sale of adulterated or misbranded foods, drugs, medicines and liquors, and providing penalties for violation thereof."

H. B. 297. An act to prescribe and provide a license tax upon all persons, firms or corporations standing a stud horse, jack or bull in this Commonwealth, and fixing the amount of said license, fixing the date of the expiration of the license provided for, and providing the manner for the registering and recording of the breed, name, age, color, sire and dam of the animal to be licensed, and fixing a fee for such registration, and fixing penalties for failure to procure licenses.

H. B. 112. An act to repeal section 3095 of the Kentucky Statutes and to enact in lieu thereof sections 3095, 3095a, 3095b, 3095c, 3095d, 3095e, 3095f, 3095g, and 3095h, relating to the condemnation of property for public purposes of cities of the second class.

H. B. 296. An act to repeal sections 3184, 3185, 3186, 3187, 3187a, 3187b, 3188, and 3189 of the Kentucky Statutes, and to enact in lieu thereof sections 3184, 3185, 3186, 3187, 3187a, 3187b, 3187c, 3187d, 3187e, 3187f, 3187g, 3187h, 3187i, 3187j, 3187k, 3189, 3189a and 3189b, relating to revenue and taxation in cities of the second class.

H. B. 398. An act to repeal section 4758 of the Kentucky Statutes, and enact in lieu thereof an act to define vagrants and vagrancy and provide punishment therefor.

Whereupon all other business was suspended, said bills were severally read at length and compared in open House, and were found to be correctly enrolled. Thereupon the Speaker of the House of Representatives in open session in the presence of the House affixed his signature to each of said bills.

Ordered, that the Enrolling Clerk deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled bills, which originated in the House, to the Clerk.

Ordered, that the Chief Clerk deliver the enrolled bills, which originated in the House, and which have been signed by the presiding officers of the House and Senate, to the Governor. After a time the Chief Clerk reported that he had performed that duty.

Mr. Klair moved that a committee be appointed to inform the Senate that the House has now completed the business before it, and to request the Senate to appoint a like committee to act in conjunction with the House committee to wait upon the Governor to inform him that the House of Representatives and Senate, composing this General Assembly have completed their labors and were ready to adjourn sine die, and to ask him if he had any further communications to make or offer to the General Assembly.

Said motion was agreed to.

Thereupon the Speaker appointed Messrs. Klair, Chappell and Brown as such committee.

After a time the said committee reported that they had waited upon the Senate and had been informed by them that they had completed their labors; that they had acted in conjunction with a like committee from the Senate and waited upon the Governor and informed him that the General Assembly was about to adjourn and asked him if he had any further communications to make; that they had been informed by the Governor that he had no further communications to make to this General Assembly.

Mr. Young moved that this House do now adjourn sine die.

Said motion was agreed to.

Thereupon, at 11:25 o'clock P. M. the House adjourned sine die.

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